

THURSDAY, MAY 23, 1985

FIFTY-THIRD LEGISLATIVE DAY

The House met at 9:30 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Reverend Mel Jacobs, Rockvale Church of God, Rockvale, Tennessee.

Representative Hobbs, led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 95

Representatives present were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensey, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

The Speaker announced that Representatives Ruth Robinson was excused because of a National Dairy Board Meeting.

The Speaker announced that Representative U.A. Moore was excused because of a seminar.

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FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 561 and 671.

BRAGG, Chairman.

Under the rules, House Bill No. 561 and 671 were transmitted to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, May 23, 1985: House Bill No. 1124, House Resolutions Nos. 61 and 40, and Senate Joint Resolution No. 32, House Bills Nos. 561, 671, and House Joint Resolutions Nos. 403 and 307.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

55--To increase pay, county officers and clerks;

84--To make certain provisions, child health and welfare;

766--To increase compensation, certain motor vehicle enforcement personnel;

1127--To regulate purchasing Hamilton County Hospital authority; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

191--Relative to designating the "Colonel Russell A. Newman National Guard Armory";

275--Relative to National Child Watch Campaign;

352--Relative to congratulating Ricky Cross;

353--Relative to honoring Robert W. Scales;

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- 355--Relative to honoring Frederick Cordoza, II;
- 356--Relative to expressing sorrow, William G. Spence;
- 358--Relative to congratulating Mr. and Mrs. Allen Garner Payne;
- 361--Relative to congratulating Kenton High School girls' basketball team;
- 362--Relative to congratulating Westmoreland High School girls' softball team;
- 372--Relative to commending Dr. Clinton Marsh;
- 373--Relative to expressing appreciation, Lowell Stuart Greene;
- 374--Relative to honoring Cheatham County Central High School Choir;
- 379--Relative to honoring John Anthony Williamson;
- 381--Relative to congratulating Bruce Harrison;
- 382--Relative to honoring Nannie Hereford;
- 383--Relative to memory, George Leonard Ledford, III;
- 384--Relative to commending Mrs. Dixie Dysart Marsh;
- 385--Relative to commending Dr. Jessie C. Smith;
- 386--Relative to saluting Jefferson Street Missionary Baptist Church;
- 387--Relative to honoring White's Creek High School track team;
- 388--Relative to memory, Reverend Kelly Miller Smith, Sr.;
- 389--Relative to commending Dr. John M. Mallette; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

- 390--Relative to honoring Billy Cunningham and Ronald Robinson;
- 391--Relative to honoring Nashville Electric Service;

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392--Relative to congratulating Howard's Hustlin' Tigers boys' track team;

393--Relative to congratulating Billy W. Wagoner;

394--Relative to honoring Laura Ann Carr and John Olert;

395--Relative to thanking Julia J. Tate;

396--Relative to commending Reverend Eddie Currie;

397--Relative to honoring Harold Crenshaw;

398--Relative to congratulating Juanita Lear;

399--Relative to commending Representative Joe Treadway;

400--Relative to commending W. Waller Henry;

401--Relative to commending Hubert Fry;

402--Relative to site for new Saturn assembly plant;

404--Relative to congratulating Dotson R. Guinn;

405--Relative to congratulating L. Dawn Harrell; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 55, 84, 189, 218, 322, 515, 708, 766 and 1127; House Resolutions Nos. 55, 62, and 65; and House Joint Resolutions Nos. 352, 353, 355, 356, 358, 361, 362, 372, 373, 374, 379, 381 and 382 and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 55, 84, 189, 218, 322, 515, 708, 766 and 1127; House Resolutions Nos. 55, 62 and 65; and House Joint Resolutions Nos. 352, 353, 355, 356, 358, 361, 362, 372, 373, 374, 379, 381 and 382.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos.:

202--To regulate insurance coverage, certain local education agencies;

229--To regulate amusement tax exemptions;

1113--To amend Chapter 156, Private Acts 1971;

1114--To regulate public education and tourism, Lincoln County; all passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos.:

173--Relative to honoring McMinville Interact Club;

176--Relative to commending David Matthew Loudin;

177--Relative to commending Earl Sharp;

178--Relative to commending Orelus C. Collins, Sr.;

179--Relative to honoring Eddie L. Currie;

180--Relative to honoring Frayser High School, Memphis;

181--Relative to honoring Billie Jean Graham;

182--Relative to thanking Margot Gee Myrick;

184--Relative to thanking Telisa Banniza;

185--Relative to thanking Janet McCormack;

186--Relative to welcoming General Jackson, Opryland USA Inc.'s Showboat;

187--Relative to congratulating Mr. and Mrs. Irby L. "Dutch" Reynolds;

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188--Relative to commending Mrs. Beulah Netherland; all adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

853--To amend sales and use tax;

960--To regulate certain criminal cases; both substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

On motion of Mr. Gill, the rules were suspended for introduction of House Resolutions Nos. 68 and 69, and House Joint Resolutions Nos. 406, 407 and 408.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 68--Relative to commending Mona Boggs--By Moore (Sullivan), Murphy, Williams, Turner, C. (Shelby), Buck, Davis (Knox) and Burnett.

House Resolution No. 69--Relative to commending Overbrook School first grade class--By Murphy.

House Joint Resolution No. 406--Relative to honoring Dobyns-Bennett High School soccer team--By Montgomery, Yelton and Hurley.

House Joint Resolution No. 407--Relative to commending James Ralph Robert, Jr.--By West, Chiles, Ellis, Robinson (Davidson), Garrett, Love, Pruitt and Covington.

House Joint Resolution No. 408--Relative to commending Roberts Vaughn Weaver, Jr.--By Naifeh, Burnett, and Tanner.

On motion of Mr. Gill, the rules were suspended for immediate consideration of the above resolutions.

On motion of Mr. Gill, House Resolutions Nos. 68 and 69, and House Joint Resolutions Nos. 406, 407 and 408 were adopted by the following vote:

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Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

On motion of Mr. Gill, the rules were suspended for immediate consideration of the following Senate Joint Resolutions:

Senate Joint Resolution No. 173--Relative to honoring McMinnville Interact Club.

Senate Joint Resolution No. 176--Relative to commending David Matthew Loudin.

Senate Joint Resolution No. 177--Relative to commending Earl Sharp.

Senate Joint Resolution No. 178--Relative to commending Orelus C. Collins, Sr.

Senate Joint Resolution No. 179--Relative to honoring Eddie L. Currie.

Senate Joint Resolution No. 180--Relative to honoring Frayser High School, Memphis.

Senate Joint Resolution No. 181--Relative to honoring Billie Jean Graham.

Senate Joint Resolution No. 182--Relative to thanking Margot Gee Myrick.

Senate Joint Resolution No. 184--Relative to thanking Telisa Banniza.

Senate Joint Resolution No. 185--Relative to thanking Janet McCormack.

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Senate Joint Resolution No. 186--Relative to welcoming General Jackson, Opryland USA Inc.'s Showboat.

Senate Joint Resolution No. 187--Relative to congratulating Mr. and Mrs. Irby L. "Dutch" Reynolds.

Senate Joint Resolution No. 188--Relative to commending Mrs. Beulah Netherland.

On motion of Mr. Gill, Senate Joint Resolutions Nos. 173, 176, 177, 178, 179, 180, 181, 182, 184, 185, 186, 187 and 188 were concurred in by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Duer, Ellis, Frensey, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

CALENDAR

Mr. McAfee moved that House Joint Resolution No. 307 be referred to the Committee on Judiciary, which motion prevailed.

House Bill No. 1124--To amend Section 62-3-110, Code.

On motion, House Bill No. 1124 was made to conform with Senate Bill No. 1100.

On motion, Senate Bill No. 1100, on same subject, was substituted for House Bill No. 1124.

Mr. Scruggs moved that Senate Bill No. 1100 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg,

Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, Dills, Dixon, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

A motion to reconsider was tabled.

House Resolution No. 61--Relative to regulating and taxing suntanning booths.

Ms. Turner, B. (Hamilton) moved that House Resolution No. 61 be adopted, which motion prevailed by the following vote:

Ayes	91
Noes	1
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representative voting no was: Chiles--1.

Representative present and not voting was: Harrill--1.

A motion to reconsider was tabled.

House Resolution No. 40--Relative to studying conviction of James Ray McGrau.

Mr. Starnes moved that House Resolution No. 40 be adopted, which motion prevailed by the following vote:

Ayes	52
Noes	26
Present and not voting	10

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Collier, Covington, Crain, Cross, Curlee, Davidson, Davis (Gibson), DePriest, Drew, Ellis, Gafford, Gaia, Garrett, Gill, Hillis, Hurley, Ivy, Jared, Jones, Kernell, King, Kisber, Love, Miller, Naifeh, Napier, Peroulas, Pruitt, Rhinehart, Robinson (Hamilton), Stallings, Starnes, Tanner, Treadway, Turner, B. (Hamilton), Turner, C. (Shelby), West, Wheeler, Whitson, Winningham, Wix, Wood, Work and Mr. Speaker McWherter--52.

Representatives voting no were: Chiles, Clark (Sumner), Copeland, Duer, Harrill, Hassell, Henry, Kent, Lawson, May, McAfee, McCroskey, McNally, Montgomery, Moody, Murphy, Murray, Nance, Scruggs, Severance, Shirley, Swann, Tankersley, Ussery, Webb and Williams--26.

Representatives present and not voting were: Brewer, Darnell, Davis (Knox), Frensley, Hobbs, Moore (Sullivan), Ridgeway, Turner, L. (Shelby), Wolfe and Yelton--10.

A motion to reconsider was tabled.

Senate Joint Resolution No. 32--Relative to planning application agri-business expertise, African families.

Mr. Drew moved that Senate Joint Resolution No. 32 be concurred in.

Mr. Stallings moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Joint Resolution No. 32 by deleting the third resolving clause in its entirety.

On motion, the amendment was adopted.

Thereupon, Senate Joint Resolution No. 32, as amended, was concurred in by the following vote:

Ayes	88
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller,

Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

A motion to reconsider was tabled.

House Bill No. 414--To provide insurance coverage, certain education employees.

On motion, House Bill No. 414 was made to conform with Senate Bill No. 202.

On motion, Senate Bill No. 202, on same subject, was substituted for House Bill No. 414.

Mr. Stallings moved that Senate Bill No. 202 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 202 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 202, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley,

Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--95.

Representative voting no was: Copeland--1.

A motion to reconsider was tabled.

House Joint Resolution No. 403--Relative to creating task force to study tourism.

Mr. Bragg moved that House Joint Resolution No. 403 be adopted.

Mr. McAfee moved to amend as follows:

AMENDMENT NO. 1

Amend House Joint Resolution No. 403 by deleting from the first resolving clause the words "three members of each of the Senate and House Finance, Ways and Means Committees, to be named by the respective speakers" and substituting instead the words "the Parks and Tourism subcommittee of the House Conservation and Environment Committee and the Tourism subcommittee of the Senate Energy and Natural Resources Committee and three members from both the House and Senate to be appointed by the respective speakers".

On motion, the amendment was adopted.

Thereupon, House Joint Resolution No. 403, as amended, was adopted by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --96.

A motion to reconsider was tabled.

House Bill No. 561--To make certain provisions, amusement tax.

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On motion, House Bill No. 561 was made to conform with Senate Bill No. 13.

On motion, Senate Bill No. 13, on same subject, was substituted for House Bill No. 561.

Mr. Wheeler moved that Senate Bill No. 13 be passed on third and final consideration.

Mr. Frensley moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 13 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION _____. Tennessee Code Annotated, Section 67-6-330, is amended by inserting the following new item immediately following item (9):

() Gross proceeds or receipts derived from admissions to beauty pageants or rodeos and any fees, charges or rental fees which entitle or enable the entrant to engage in any otherwise taxable amusement activity held therein which are conducted, produced or provided by a non-profit civic organization; provided, however, that this exemption shall only apply to beauty pageants or rodeos which have been held in the same city for thirty (30) years or longer;

AND FURTHER AMEND by adding the following new sentence to the effective date section:

The provisions of the amendatory item added to Tennessee Code Annotated, Section 67-6-330 exempting certain beauty pageants or rodeos conducted by a non-profit civic organization shall take effect on becoming a law, the public welfare requiring it, and shall be retroactive to May 1, 1985.

On motion, the amendment was adopted.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 13 by deleting the amendatory item (7) in Section 1 in its entirety and by substituting instead the following:

(7) Gross proceeds derived from admissions to amusement or recreational activities conducted, produced, or provided: by not for profit museums, not for profit entities which operate historical sites and not for profit historical societies, organizations or associations; by organizations which have

received and currently hold a determination of exemption from the United States Internal Revenue Service pursuant to 26 U.S.C. 501 (c); or by organizations listed in Major Group No. 86 of the Standard Industrial Classification Manual of 1972, as amended, prepared by the Office of Management and Budget of the Federal Government; provided, however, that this exemption shall not apply unless such entities, societies, associations or organizations promote, produce, and control the entire production of function;

AND FURTHER AMEND by deleting the amendatory item (2) in Section 3 in its entirety and by substituting instead the following:

(2) Gross proceeds or receipts derived from admissions to county or agricultural fairs and any fees or charges entitle or enable the entrant to engage in any otherwise taxable amusement activity held therein, including rides, shows, contests, games or grandstand events;

AND FURTHER AMEND by deleting the word "organization" in the amendatory item (3) in Section 5 and by substituting instead the words "organization; provided, however, that this exemption shall not apply to membership dues or fees of country clubs".

AND FURTHER AMEND by deleting Section 8 in its entirety and by substituting instead the following:

Section 8. Tennessee Code Annotated, Section 67-6-330, is amended by deleting the figure "39-6-609" from item (5) and by substituting instead the words and figures "39-6-609 and Chapter 205 of the Public Acts of 1985".

AND FURTHER AMEND by deleting Section 9 in its entirety and by substituting instead the following:

Section 9. Tennessee Code Annotated, Section 67-6-309, is amended by designating the existing language as subsection (a) and by adding the following new subsection (b):

(b) Persons qualifying for the exemption as provided in subsection (a) shall also be exempt from any portion of the gross receipts tax as provided in Section 67-4-708.

AND FURTHER AMEND by deleting Section 10 in its entirety and by substituting instead the following:

Section 10. Tennessee Code Annotated, Section 67-6-330 is amended by adding the following new items immediately following item (9) and by renumbering subsequent items accordingly:

() Gross proceeds derived from admissions to amusement or recreational activities or facilities

conducted, produced and controlled by municipalities or counties;

() Membership assessments for capital improvements made by a recreation club, community service organization or country club against its members;

AND FURTHER AMEND by deleting Section 11 in its entirety and by substituting instead the following:

Section 11. Tennessee Code Annotated, Section 67-6-330 is amended by inserting the following new item immediately following item (9):

() Gross proceeds or receipts derived from admissions to beauty pageants or rodeos and any fees, charges or rental fees which entitle or enable the entrant to engage in any otherwise taxable amusement activity held therein which are conducted, produced or provided by a non-profit civic organization; provided, however, that this exemption shall only apply to beauty pageants or rodeos which have been held in the same city for thirty (30) years or longer;

AND FURTHER AMEND by adding the following new section immediately preceding the effective date section and by renumbering the subsequent section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

AND FURTHER AMEND by deleting the effective date section in its entirety and by substituting instead the following:

Section _____. The provisions of the amendatory item added to Tennessee Code Annotated, Section 67-6-330 exempting certain beauty pageants or rodeos conducted by a non profit civic organization shall take effect on becoming a law, the public welfare requiring it, and shall be retroactive to May 1, 1985. All other provisions of this act shall take effect July 1, 1985, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Burnett moved to amend as follows:

AMENDMENT NO. 3

Amend Senate Bill No. 13 as follows:

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T.C.A., 67-6-330 is amended by adding the following new item

() Admissions and tickets sold to children aged twelve (12) years and under.

Mr. Bragg moved that Amendment No. 3 be tabled, which motion prevailed.

Mr. Dills moved to amend as follows:

AMENDMENT NO. 4

Amend Senate Bill No. 13 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Tennessee Code Annotated, Section 67-6-330, is amended by adding the following new item after item (9) and by renumbering the subsequent section accordingly:

() Gross proceeds derived from admissions to musical concerts conducted, produced or provided by not for profit community group associations if such associations promote, produce and control such concerts;

On motion, the amendment was adopted.

Mr. Starnes moved to amend as follows:

AMENDMENT NO. 5

Amend Senate Bill No. 13 by adding a new section to be appropriately numbered and to read as follows:

SECTION _____. Tennessee Code Annotated, Section 67-6-330, is amended by inserting the following item (10) and by renumbering subsequent items accordingly:

() Dues, membership application fees, admission fees, contributions or rental charges for equipment paid to any enterprise which offers on a regular fulltime basis services or facilities for the development or preservation of physical fitness through exercise or athletics; provided such person and/or each facility claiming this exemption shall meet each of the following conditions in order to qualify for such exemption:

- a. Must have at least one full-time employee certified in administrating health assessments, and at least one full-time employee licensed by the State that represents a medical and/or paramedical discipline, and
- b. Must be open at least 70 hours per week, and

- c. Must permit participation by each member each day in operation, and
- d. Must have at least 15,000 square feet in use in each facility for physical fitness purposes, and
- e. Must offer each of the following programs and/or activities:

- (1) Health assessments which include blood chemistry and urinalysis
- (2) Racquet ball
- (3) Exercise equipment
- (4) Track
- (5) Aerobics

Before any person can be exempted under this provision, the Department of Revenue shall, based upon information supplied by the person claiming such exemption, approve such exemption.

Mr. Chiles moved that Amendment No. 5 be tabled, which motion prevailed.

Ms. Montgomery moved to amend as follows:

AMENDMENT NO. 6

Amend Senate Bill No. 13 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section ____ . Tennessee Code Annotated, Section 67-6-330 is amended by adding the following new item after item (9) and by renumbering subsequent items accordingly:

- (9) Any event or activity held by an employee solely for the benefit of his employee; provided, however, that such event or activity must be entirely produced and controlled by such employer.

On motion, the amendment was adopted.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

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Ayes	83
Noes	3
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work and Yelton--83.

Representatives voting no were: Shirley, Stafford and Turner, L. (Shelby)--3.

Representative present and not voting was: Mr. Speaker McWherter--1.

Thereupon, Senate Bill No. 13, as amended, passed its third and final consideration by the following vote:

Ayes	89
Noes	6

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --89.

Representatives voting no were: DeBerry, Henry, Moody, Shirley, Stafford and Turner, L. (Shelby)--6.

A motion to reconsider was tabled.

House Bill No. 671--To provide time for teachers to plan lessons.

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Mr. McNally moved that House Bill No. 671 be passed on third and final consideration.

Mr. Work moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 671 by deleting Section 1 in its entirety and substituting the following language:

SECTION 1. Tennessee Code Annotated, Section 49-1-302, is amended by adding a new subsection, to be appropriately lettered, as follows:

() The State Board of Education shall develop and adopt rules and regulations to achieve:

(1) For the 1985-86 school year and thereafter, a duty-free lunch period for all teachers, grades kindergarten (K) through twelve (12), of at least the length of the student lunch period, during which time the teacher has no other assigned responsibilities.

(2) For the 1986-87 school year and thereafter, a duty-free planning period during the established instructional day for all teachers in grades kindergarten (K) through twelve (12) with such period being the length of the usual class period in school, but not less than thirty (30) minutes. During this period the teacher shall have no other assigned responsibilities.

and further amend by adding a new Section 2 as follows:

SECTION 2. Tennessee Code Annotated, Section 49-3-306, is amended by adding a new subsection, to be appropriately numbered, as follows:

() Each local education agency shall be entitled to receive funding of two dollars (\$2.00) per FTEADA in grades kindergarten (K) through twelve (12) to be used for the purpose of providing a duty-free lunch period for teachers; provided, however, that local education agencies already providing duty-free lunch periods shall be entitled to receive the funds for expenditure on art, music, or physical education programs for students in grades kindergarten (K) through six (6) as required by State Board of Education rules and regulations.

And further amend by renumbering the present Section 2 as Section 3.

On motion, the amendment was adopted.

Thereupon, House Bill No. 671, as amended passed its third and final consideration by the following vote:

Ayes	92
Noes	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: Chiles and Stafford--2.

A motion to reconsider was tabled.

Mr. Ivy moved that House Bill No. 1131 be re-referred to the Committee Judiciary, which motion prevailed.

House Bill No. 860--To make provisions, certain elections.

Mr. Gill moved that House Bill No. 860 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 860 by inserting the following new section before the effective date section and by renumbering the effective date section accordingly:

Section _____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 860 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not be construed to be an appropriation of funds and no funds shall be obligated or expended pursuant to this act unless such funds are specifically appropriated by the general appropriations act.

On motion, the amendment was adopted.

Mr. Rhinehart moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 860 by deleting all language following the enacting clause and by substituting instead the following:

Section 1. Tennessee Code Annotated, Section 2-12-201, is amended by adding the following:

Each registrar-at-large shall be paid a state supplement of two thousand dollars (\$2,000) per year from the state general fund and each county shall pay such registrar-at-large an annual salary of at least two thousand dollars; provided, however, that no such registrar-at-large shall receive an amount less from the county than he received on June 30, 1985.

Section 2. This act shall take effect July 1, 1985, the public welfare requiring it.

On motion, the amendment was adopted.

Messrs. Chiles and McAfee asked to be recorded as voting "no" on Amendment No. 3 to House Bill No. 860.

Thereupon, House Bill No. 860, as amended, passed its third and final consideration by the following vote:

Ayes	68
Noes	24
Present and not voting	1

Representatives voting aye were: Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), DeBerry, DePriest, Drew, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kernell, King, Kisber, Love, McCroskey, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Pruitt, Rhinehart, Ridgeway, Robinson

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(Davidson), Robinson (Hamilton), Shirley, Stallings, Starnes, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, West, Wheeler, Whitson, Winningham, Wix, Work, Yelton and Mr. Speaker McWherter--68.

Representatives voting no were: Bewley, Chiles, Clark (Sumner), Copeland, Davis (Gibson), Davis (Knox), Duer, Harrill, Hassell, Henry, Kent, Lawson, McAfee, McNally, Moody, Scruggs, Severance, Stafford, Swann, Tankersley, Webb, Williams, Wolfe and Wood--24.

Representative present and not voting was: May--1.

A motion to reconsider was tabled.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 671 and 860; and House Joint Resolutions Nos. 403, 406, 407 and 408; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

CONSENT CALENDAR

OBJECTION

An objection was filed to the following bill on the Consent Calendar:

Mr. Webb objected to House Bill No. 1133.

Under the rules, House Bill No. 1133 was placed at the foot of the Calendar for Tuesday, June 18, 1985.

House Bill No. 1132--To amend Chapter 585, Private Acts, 1945.

On motion, House Bill No. 1132 was made to conform with Senate Bill No. 1113.

On motion, Senate Bill No. 1113, on same subject, was substituted for House Bill No. 1132.

Mr. Gill moved that the Senate Bill on the Consent Calendar be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones,

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Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

RECESS

On motion of Mr. Speaker McWherter, the House recessed 15 minutes.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

PERSONAL PRIVILEGE

Mr. Jones arose to a point of personal privilege and addressed the House.

RULES SUSPENDED

Mr. Gill moved that House Rules Nos. 48 and 77 be suspended, which motion prevailed by the following vote:

Ayes	88
Noes	5

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representatives voting no were: Chiles, Copeland, Kernell, Shirley and Turner, C. (Shelby)--5.

REPORTS OF STANDING COMMITTEES

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means beg leave to report that we have carefully considered and recommend for passage: House Bills Nos. 1128 and 1129.

BRAGG, Chairman.

Under the rules, House Bills Nos. 1128 and 1129 were transmitted to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, May 23, 1985: House Bills Nos. 1128 and 1129.

GILL, Chairman.

House Bill No. 1128--To amend Title 9, Chapter 6, Part 2, Code.

Mr. Scruggs moved that House Bill No. 1128 be passed on third and final consideration.

Mr. Scruggs moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1128 by deleting Section 1 of the bill in its entirety and substitute instead:

"SECTION 1. Tennessee Code Annotated Section 9-6-203 is amended by adding the following new subsection which reads as follows:

"The index of appropriations from state tax revenues for the 1985-1986 fiscal year may exceed the index of estimated growth in the state's economy by \$58,000,000 or 1.79 percent."

On motion, the amendment was adopted.

Thereupon, House Bill No. 1128, as amended, passed its third and final consideration by the following vote:

Ayes	84
Noes	9

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis

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(Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, King, Kisber, Lawson, Love, McCroskey, McNally, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--84.

Representatives voting no were: Chiles, Copeland, Kernell, May, McAfee, Miller, Shirley, Stafford and Turner, C. (Shelby)--9.

A motion to reconsider was tabled.

House Bill No. 1129--To amend Title 9, Chapter 6, Part 2, Code.

Mr. Scruggs moved that House Bill No. 1129 be passed on third and final consideration.

Mr. Scruggs moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1129 by deleting Section 1 of the bill in its entirety and substituting instead:

"SECTION 1. Tennessee Code Annotated Section 9-6-203 is amended by deleting subsection (e) in its entirety and substituting instead the following:

"The index of appropriations from state tax revenues for the 1984-1985 fiscal year may exceed the index of estimated growth in the state's economy by \$396,100,000 or 14.60 percent."

On motion, the amendment was adopted.

Thereupon, House Bill No. 1129, as amended, passed its third and final consideration by the following vote:

Ayes	83
Noes	9

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Kent, King, Kisber, Lawson, Love, McCroskey, McNally, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway,

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Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Work, Yelton and Mr. Speaker McWherter--83.

Representatives voting no were: Copeland, Kernell, May, McAfee, Miller, Shirley, Stafford and Turner, C. (Shelby) and Wood--9.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 53--To provide for six-member jury, civil cases.

SENATE AMENDMENT NO. 2

Amend House Bill No. 53 as follows:

This Act shall take effect on October 1, 1985.

SENATE AMENDMENT NO. 3

Amend House Bill No. 53 by deleting from the amendatory language of Section 1 the following sentence:

"For good cause shown the court may deny the request." and substituting instead the following new sentence:

For good cause shown the court may grant the request for a twelve (12) person jury.

Mr. Murphy moved that the House non-concur in Senates Amendments Nos. 2 and 3, which motion prevailed.

Mr. Webb requested that action on House Bill No. 304 be deferred until June 19, 1985, which motion prevailed.

FURTHER CONSIDERATION OF SENATE BILL NO. 694

Senate Bill No. 694--To regulate taxation, property used by contractors.

Mr. Starnes moved that the motion to reconsider Senate Bill No. 694 be lifted from the table, which motion prevailed.

Mr. Starnes moved that the House reconsider its action in passing Senate Bill No. 694 on third and final consideration, as amended, which motion prevailed.

Mr. Starnes moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

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Mr. Starnes moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 694, passed its third and final consideration by the following vote:

Ayes	84
Noes	9

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Cobb, Collier, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McCroskey, Miller, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--84.

Representatives voting no were: Clark (Sumner), Lawson, McNally, Montgomery, Moody, Swann, Tankersley, Williams and Winningham--9.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 731--To enact Hazardous Chemical Right to Know Law.

SENATE AMENDMENT NO. 1

Amend House Bill No. 731 by deleting the words "of a nonmanufacturing employer" in item (8) of Section 3.

AND FURTHER AMEND by deleting the words and figures "in 29 CFR Section 1910.1200(g) for such document" in item (15) of Section 3.

AND FURTHER AMEND by designating the original language of Section 7 as subsection (a) and by adding the following new subsection (b):

(b) It is the legislative intention that a contractor or subcontractor who introduces hazardous materials into the workplace shall be construed, solely for the purposes of this act, to be responsible for his employees in such workplace. The commissioner shall promulgate regulations as needed to establish the duties and responsibilities of contractors and subcontractors under this act. Any such contractor or subcontractor who introduces hazardous chemicals into the workplace shall provide

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MSDS's for such chemicals to all other parties of the contract prior to introducing such hazardous chemicals.

AND FURTHER AMEND by inserting the words "prior to or" between the words "appropriate MSDS" and "with their" in subsection (a) of Section 8.

AND FURTHER AMEND by deleting the words "material safety data sheet MSDS" in subsection (d) of Section 8 and by substituting instead the words "materials safety data sheet".

AND FURTHER AMEND by adding the following language at the end of subsection (a) of Section 9:

Provided, however, if such hazardous chemical is regulated under the Federal Insecticide, Fungicide, and Rodenticide Act or the Tennessee Application of Pesticides Act of 1978, then such employer shall reproduce on the container to which such hazardous chemical was transferred the chemical name or common name which was on the original container.

AND FURTHER AMEND by adding the following language at the end of subsection (b) of Section 9:

For the purposes of this subsection, the term "unlabeled container" means a container which is not labeled in accordance with subsection (a) of this section or the OSHA standard.

AND FURTHER AMEND by inserting the words "on a MSDS or" between the words "information required" and "under Section 14" in subsection (a) of Section 13.

AND FURTHER AMEND by deleting the word "section" in the last paragraph of subsection (f) of Section 14 and by substituting instead the word "subsection".

AND FURTHER AMEND by deleting the subdivision designations "(a)" and "(b)" in the last paragraph of subsection (f) of Section 14 and by substituting instead, respectively, the subdivision designations "(1)" and "(2)".

AND FURTHER AMEND by deleting the word "make" in item (2) of subsection (f) of Section 19 and by substituting instead the word "made".

AND FURTHER AMEND by deleting the words "maintains twenty-four" in the last paragraph of subsection (f) of Section 14 and by substituting instead the words "the employer maintains twenty-four".

AND FURTHER AMEND by deleting the word and punctuation "purposes." in item (4) of subsection (f) of Section 19 and by substituting instead the words and punctuation "purposes; and".

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AND FURTHER AMEND by deleting the figure "(14)" from the second sentence of Section 22.

AND FURTHER AMEND by deleting the word and figure "and 12" from the third sentence of Section 22 and by substituting instead the word and figures ", 12 and 14".

Mr. Kernell moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensaley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 291--To authorize bond issue, library at Tennessee Tech.

SENATE AMENDMENT NO. 1

Amend House Bill No. 291 by adding the following at the end of Section 8:

These funds shall be appropriated as provided for in the general appropriations act.

Mr. Rhinehart moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	87
Noes	7

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson,

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Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stallings, Starnes, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

Representatives voting no were: Chiles, Lawson, McCroskey, Shirley, Stafford, Swann and Tankersley--7.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

767--To increase fees, temporary operators' permits; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 767--To increase fees, temporary operators' permits.

SENATE AMENDMENT NO. 1

Amend House Bill No. 767 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. Any revenue generated from the increase in fees pursuant to this act shall be deposited in the state general fund.

Mr. Rhinehart moved that the House concur in Senate Amendment No. 1, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia,

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Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

223--To amend Retailers Sales Tax Act; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 223--To amend Retailers Sales Tax Act.

SENATE AMENDMENT NO. 5

Amend House Bill No. 223 by adding a new section thereto, as follows, immediately before the effective date section:

SECTION ____. The exemption provided for herein shall not apply to purchases of bingo cards or equipment by such organizations.

SENATE AMENDMENT NO. 6

Amend House Bill No. 223 as follows:

Add a new section to read:

No tax exemption as permitted by TCA 67-6-322 shall apply to the purchase of bingo materials or supplies or equipment or cards.

Further amend by adding after the word "Church" in Section (a)(1) of TCA 67-6-322 the words "temple, synagogue or mosque."

Mr. Huskey moved that the House concur in Senate Amendments Nos. 5 and 6, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work and Mr. Speaker McWherter--92.

Representatives present and not voting were: Miller and Yelton --2.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

158--To continue Department of Human Services; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 158--To continue Department of Human Services.

SENATE AMENDMENT NO. 2

Amend House Bill No. 158 by deleting from the amendatory language of Section 2 the figures and symbols "4-29-206" and by substituting instead the following: "4-29-211".

Mr. King moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	89
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner),

Cobb, Collier, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--89.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 156--To continue Chickasaw Basin Authority.

SENATE AMENDMENT NO. 3

Amend House Bill No. 156 by deleting from Section 2 the figures and symbols "4-29-206" and by substituting instead the following:

"4-29-211".

Mr. King moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

Mr. King moved that the rules be suspended for the purpose of introducing House Resolution No. 73 out of order, which motion prevailed.

House Resolution No. 73--Relative to commending Marcelene H. Turner--By King and Brewer.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. King, the resolution was adopted.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

544--To provide incentives for class size reduction; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 544--To provide incentives for class size reduction.

SENATE AMENDMENT NO. 2

Amend House Bill No. 544 by adding a new section as follows, to be numbered appropriately immediately before the effective date section, and renumbering such section accordingly:

SECTION _____. This act shall be implemented within the limits and provisions set out in the general appropriations act.

Mr. Cobb moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb,

West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to House, House Bill No.:

846--To amend Comprehensive Education Reform Act; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 846--To amend Comprehensive Education Reform Act.

SENATE AMENDMENT NO. 6

Amend House Bill No. 846 in Section 1, in the second sentence, place a period at the end of the work "teachers" (line 6) and delete the words following "teachers."

SENATE AMENDMENT NO. 12

Amend House Bill No. 846 by deleting Section 2 in its entirety and substituting a new Section 2 as follows:

SECTION 2. Tennessee Code Annotated, Section 49-3-314, is amended by adding a new subsection thereto, as follows:

(d) There shall also be distributed as provided in subsection (b) an amount appropriated under the TFP for the following purposes:

(1) Teachers commencing their second school year of teaching after July 1, 1985 shall receive a five hundred dollar (\$500) salary supplement as an incentive to continue in the teaching profession. This supplement shall be in addition to any other salary to which the teacher may be entitled. The supplement shall continue from year to year until the teacher has completed a seventh year of teaching; provided, however, the state board of education shall adjust the supplement amount each year after the second year of teaching to make sure that eligible teachers receive a total state salary and supplement equal to the salary and supplement provided to future teachers commencing a second year of teaching.

(2) Teachers commencing their third school year of teaching after July 1, 1985 shall receive that portion of the five hundred dollar (\$500) salary supplement calculated by the state board of education to result in a total state salary and supplement equal to that received by teachers commencing their second year of teaching pursuant to subsection (d) (1). This same supplemental pay calculation shall be made for all teachers commencing their fourth, fifth, sixth and seventh school years of teaching. In each case, the total state salary and supplement paid in any year shall be equal to the salary and supplement received by teachers commencing their second year of teaching pursuant to subsection (d) (1).

SENATE AMENDMENT NO. 13

Amend House Bill No. 846 by deleting the language substituted for Section 31, and by substituting the following instead:

Peer review for the evaluation process conducted by local education agencies shall be conducted by a team comprised of the principal of the evaluatee's school and another professional employee recommended by the evaluatee and approved by the evaluating principal.

SENATE AMENDMENT NO. 14

Amend House Bill No. 846 as follows:

Add a new section immediately before the severability section to read as follows:

SECTION ____. Tennessee Code Annotated, Section 49-5-5203 is amended by adding the following language at the end of the subsection (b) (1):

A teacher may complete upper division courses in areas of need identified through the evaluation process; however, the teacher shall provide, with the application for renewal, written verification of the need signed by the teacher's immediate supervisor before such courses may be counted for certificate renewal.

SENATE AMENDMENT NO. 15

Amend House Bill No. 846 by adding a new Section immediately before the severability clause section and renumbering the following sections accordingly:

SECTION ____. Tennessee Code Annotated, Section 49-5-5150 is amended by deleting from subsection (c) the date, "July 1, 1985", and substituting instead the words, "June 30, 1986. Any member

of the Interim Commission on June 30, 1985, shall continue in office until otherwise provided herein."

SENATE AMENDMENT NO. 18

Amend House Bill No. 846 by deleting the language substituted by Senate Amendment No. 12 for Section 2, and substitute instead the following:

SECTION 2. Tennessee Code Annotated, Section 49-3-306, is amended by adding a new subsection thereto, as follows:

(5) (C) As an incentive to continue in the teaching profession, a pay supplement under the TFP shall be provided to teachers in the following manner:

(i) Teachers commencing their second year of teaching after July 1, 1984, shall receive a five hundred dollar (\$500) salary supplement, which shall be in addition to any other salary to which the teacher may be entitled. This supplement shall continue for two additional years, as adjusted by the state board of education so that during each such year the eligible teacher will receive a total state salary and supplement equal to the salary and supplement provided to teachers commencing a second year of teaching during the applicable year.

(ii) Teachers who are in their third or fourth year of teaching during the 1984-1985 school year shall receive a supplement adjusted by the state board of education so that their total state salary and supplement will equal the salary and supplement provided to teachers commencing a second year of teaching during the applicable year. Likewise, teachers who are in their fourth year of teaching during the 1985-1986 school year shall receive a supplement adjusted by the state board of education so that their total state salary and supplement will equal the salary and supplement provided to teachers commencing a second year of teaching during the applicable year.

AND, FURTHER AMEND the bill by deleting from Section 4 of the bill subsection (a) in its entirety;

AND, FURTHER AMEND THE bill by deleting the following words from Section 31:

"This provision shall not apply to probationary and apprentice teachers who are being assisted and evaluated by Career Level II and III teachers under this chapter."

AND, FURTHER AMEND the bill by deleting the amended Section 33 and by substituting the following:

TCA 49-5-5205 (g) is amended by adding the following language:

For purposes of Career Level II and III teacher evaluations pursuant to Section 49-5-5204 (b), at least one Career Level III teacher or professionally trained evaluator shall be from the same grade area or subject area as the teacher being evaluated.

AND, FURTHER AMEND the bill by adding a new section before severability clause to read as follows:

SECTION __. Tennessee Code Annotated, Section 49-5-5021 (b), is amended by deleting the word "monthly" and substituting instead the words "at least quarterly or at the call of the chairman."

AND, FURTHER AMEND the bill by deleting Section 35 in its entirety;

AND, FURTHER AMEND the bill by adding the following new section immediately before the effective date section:

SECTION __, Notwithstanding any provision of the law to the contrary, any members of the State Certification Commission who are appointed prior to the 1986 session of the 94th General Assembly shall serve with full authority granted by law pending confirmation by the General Assembly.

SENATE AMENDMENT NO. 19

Amend House Bill No. 846 by deleting from Section 35 the words "June 30, 1986" and substituting instead the words "February 1, 1986".

Mr. Cobb moved that the House concur in Senate Amendments Nos. 6, 12, 13, 14, 15, 18 and 19, which motion prevailed by the following vote:

Ayes 89
Noes 5

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson

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(Hamilton), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --89.

Representatives voting no were: Clark (Davidson), Cross, McAfee, Moody and Shirley--5.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 238--To create special school for juvenile correction.

SENATE AMENDMENT NO. 2

Amend House Bill No. 238 by deleting Sections 1 through 5 in their entirety and by substituting instead the following new Sections 1 and 2:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 6, Section 143 is amended by deleting the first sentence of the second paragraph and substituting instead the following:

Each teacher in such special school district shall receive annual compensation at a rate of one-tenth (1/10) times twelve (12) of the annual compensation reasonably comparable to those currently in effect in the school system where the respective institution is located, but such salaries shall be paid solely out of the state appropriations made to the respective institutions.

SECTION 2. This act shall take effect on July 1, 1985, the public welfare requiring it.

Mr. Love moved that the House concur in Senate Amendment No. 2, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton),

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Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --95.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 51--To increase state employee longevity pay.

SENATE AMENDMENT NO. 3

Amend House Bill No. 51 by deleting Sections 2 and 3 in their entirety and by substituting instead the following new language:

SECTION 2. Tennessee Code Annotated, Section 8-23-206, subsection (a), item (2) is further amended by adding the following new subitem (C) and by lettering the remaining subitem accordingly:

(C) In the 1985-86 fiscal year the rate shall be eighty-five dollars (\$85.00) times the number of years of service with each twelve (12) months of service equivalent to a calendar or full year. (\$85.00 x total years of service equals longevity pay.) In the following fiscal year and in each of the subsequent fiscal years until 1989, the rate shall be increased by five dollars (\$5.00) each year. (\$90.00 x total years of service equals longevity pay in 1986-87, \$95.00 x total years of service equals longevity pay in 1987-88, \$100.00 x total years of service equals longevity pay in 1988-89 and in subsequent years.)

SECTION 3. Tennessee Code Annotated, Section 8-23-206, subsection (a), item (2), subitem (D) (as redesignated) (i) is amended by deleting the figures and words "1981-82 fiscal year" and substituting the figures and words "1981 through 1984 fiscal years" and by adding the words and figures "at the rate of eighty-five (\$85.00) per year in the 1985-86 fiscal year, ninety dollars (\$90.00) per year in the 1986-87 fiscal year, ninety-five dollars (\$95.00) per year in the 1987-88 fiscal year, and one hundred dollars (\$100.00) per year in the 1988-89 fiscal year," before the words "and subsequent fiscal years" in the last sentence.

Mr. Murphy moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes 94
Noes 0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 207--To make certain provisions, professional bondsmen.

SENATE AMENDMENT NO. 4

Amend House Bill No. 207 by deleting Section 1, as amended, in its entirety and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-11-301, is amended by deleting from the first sentence the following:

"either in administrative proceedings, including but not limited to any obligation provided for in chapter 15 of title 56, civil matters, or".

SECTION 2. Tennessee Code Annotated, Section 40-11-302, is amended by designating the existing language as subsection (a) and adding the following new subsections:

(b) A professional bondsman as defined in Section 40-11-301 is specifically excluded from the laws governing insurance companies and any regulatory authority exercised by the department of commerce and insurance except as hereinafter provided.

(c) A professional bondsman may act as surety on the following civil bonds without qualifying with the Department of Commerce and Insurance as an insurance company or agent being subject to the laws governing insurance companies or agents so long as the court regulating the professional bondsman's criminal bonding activities has established

regulations for the civil bonding activities of the professional bondsman which at minimum shall require a ten percent (10%) security. These bonds are: appeal, appearance, attachment, certiorari, contempt, cost, detainer, estate bonds under \$10,001, injunction, lis pendens, possession, restraining order.

(d) Any professional bondsman acting as surety under the foregoing subsection (c) shall also be subject to the following:

(1) The commissioner of the department of commerce and insurance may investigate the civil bonding activities of any professional bondsman. After such investigation, if the commissioner has reasonable grounds to believe that the civil bonding activities are not in the best interest of the general public, he shall make a report of the investigation and any recommendations, and forward a copy to the court regulating the professional bondsman. The court, after receipt of the commissioner's report, shall hold a hearing and enter such orders as the court deems appropriate.

(2) The commissioner of commerce and insurance may in accordance with rules adopted under chapter 5, title 4 of Tennessee Code Annotated, add other surety obligations to the list of civil undertakings set forth hereinabove in subsection (c). The commissioner may make additions to the list either pursuant to a petition of an interested party or upon the commissioner's own initiative. While not limiting the basis upon which the commissioner may decide to enlarge the list, a finding by the commissioner that the market in a particular civil bond undertaking is non-competitive shall be sufficient to support adding that particular civil bond undertaking to the list.

SECTION 3. This Act shall take effect upon becoming a law, the public welfare requiring it.

AMENDMENT NO. 1 TO AMENDMENT NO. 4

Amend House Bill No. 207 by deleting from Section 2 sub-section C the following words and figures, "estate bonds under \$10.00,";

And further delete from Section 2, sub-section (d) 2 in its entirety.

Mr. Drew moved that the House concur in Senate Amendment No. 4, as amended, which motion prevailed by the following vote:

Ayes 88
Noes 4

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Clark (Davidson), Clark (Sumner), Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--88.

Representatives voting no were: Chiles, Severance, Stafford and Winningham--4.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

202--To regulate insurance coverage, certain local education agencies.

The Senate nonconcurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF SENATE BILL NO. 202

Senate Bill No. 202--To regulate insurance coverage, certain local education agencies.

Mr. Stallings moved that the motion to reconsider Senate Bill No. 202 be lifted from the table, which motion prevailed.

Mr. Stallings moved that the House reconsider its action in passing Senate Bill No. 202 on third and final consideration, as amended, which motion prevailed.

Mr. Stallings moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Stallings moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 202, passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

648--To regulate fees charged by Registers of Deeds;

The Senate concurred in House Amendments Nos. 1, 2 and 4 and nonconcurred in House Amendment No. 5.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Davis (Knox) moved that the House refuse to recede from its action in adopting Amendment No. 5 to Senate Bill No. 648, which motion prevailed.

REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL NO. 495

The House and Senate Conference Committee appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 797/House Bill No. 495 have met and recommend that Senate Amendment No. 8 be adopted; that Senate Amendment No. 9 be adopted with the following changes:

(1) in subsection (b) by deleting the language "The recording of an oral statement of the child" and by substituting instead the language "Such statements of the child recorded pursuant to the provisions of subsection (c)";

(2) by deleting from subsection (c) (1) the language "The recording of an oral statement of the child made before trial", and by substituting instead the language "The recording of the statements of the child made pursuant to an investigation of child sexual abuse";

(3) by deleting the language of subitem (A) of subsection (c) (1) in its entirety and by substituting instead the language "(A) The recording is both visual and oral and is recorded on film or videotape or by other similar audio-visual means;

(4) by deleting from subsection (d) (1) the language "electronic" and by substituting instead the words "similar audio-visual";

(5) by deleting from subsection (b) the language "in lieu of compelling the testimony of the child at such proceeding,";

(6) by inserting the following language as a new item to subsection (c) (1) to be designated as sub-item (A), redesignating subsequent sub-items accordingly:

(A) no attorney for a party to the proceeding was present when the statement was made;

(7) that Amendment No. 1 to Amendment No. 9 be deleted, and that Senate Amendment No. 10 be adopted with the following addition:

by adding the following sentence at the end of subsection (e):

The testimony of the child shall be restricted to the matters specified by the court as the basis for granting such order.

It is further recommended that the bill be amended by inserting the language "Section 19," in the first sentence of the effective date section as amended between the words "with respect to" and "authorizing video recordings", and by inserting the following language after the date "July 1, 1985," in the effective date section:

except for the investigations by the child protection teams which shall take effect October 1, 1985,

FOR THE SENATE

Senator Leonard C. Dunavant

Senator Anna Belle O'Brien

Senator William S. Owen

FOR THE HOUSE

Representative Bill Covington

Representative W.A. (Dub) Nance

Representative David L. Ussery

Mr. Covington moved that the Report of the Conference Committee on House Bill No. 495 be adopted and made the action of the House,

which motion prevailed by the following vote:

Ayes	90
Noes	0
Present and not voting	3

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representatives present and not voting were: Lawson, Moody and Murphy--3.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

406--Relative to honoring Dobyns-Bennett High School soccer team;

407--Relative to commending James Ralph Robert, Jr.;

408--Relative to commending Roberts Vaughn Weaver, Jr.; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

129--To appropriate funds for agricultural research, Tennessee Tech;

1063--To amend Charter, Lafayette;

1125--To amend Charter, Germantown; all substituted for Senate

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Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Gill moved that the rules be suspended for introduction of the following resolutions, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

House Resolution No. 70--Relative to commending Anessa Allen--By Robinson (Davidson), Buck and Yelton.

House Resolution No. 71--Relative to thanking William H. Hobbs --By Hillis, Crain and Kernell.

House Resolution No. 72--Relative to commending John Cummings "Buddy" Houts, Jr.--By Turner (Hamilton), Wood, Robinson (Hamilton), McAfee, and Copeland.

Mr. Gill moved that the rules be suspended for immediate consideration of House Resolutions Nos. 70, 71 and 72, which motion prevailed.

Mr. Gill moved that House Resolutions Nos. 70, 71 and 72 be adopted, which motion prevailed.

A motion to reconsider was tabled.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1128 and 1129; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

RECESS

On motion of Mr. Naifeh, the House recessed for one hour.

The recess having expired, the House was called to order by Mr. Speaker McWherter.

On motion, the roll call was dispensed with.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 207; and House Joint Resolutions Nos. 406 and 407; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bill No. 207; and House Joint Resolutions Nos. 406 and 407.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 207, 390, 1042, 1045, 1087, 1090, 1105, 1106, 1107, 1108, 1113, 1114, 1118 and 1119; also, House Joint Resolution No. 341; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 337, 338, 339, 345, 346, 347, 349, 351, 357, 359, 360, 363, 364, 365, 366, 367, 368, 369, 370, 371, 375, 376, 377 and 378; also, House Bills Nos. 9, 149, 153, 179, 185, 641, 792, 805, 869 and 1036; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 9, 149, 153, 179, 185, 207, 390, 641, 792, 805, 869, 1036, 1042, 1045, 1087, 1090, 1105, 1106, 1107, 1108, 1113, 1114, 1118 and 1119; and House Joint Resolutions Nos. 337, 338, 339, 341, 345, 346, 347, 349, 351, 357, 359, 360, 363, 364, 365, 366, 367, 368, 369, 370, 371, 375, 376, 377 and 378; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

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MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

295--Relative to ratifying proposed amendment, U. S. Constitution; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

53--To provide for six-member jury, civil cases.

The Senate refused to recede from its action in adopting Amendments Nos. 2 and 3.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Murphy moved that the House refuse to recede from its action in nonconcurring in Senate Amendments Nos. 2 and 3 to House Bill No. 53, which motion prevailed.

Mr. Murphy moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate to resolve the differences between the House and Senate on House Bill No. 53, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Murphy, Moody, and Williams as the Conference Committee on House Bill No. 53.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

671--To provide time for teachers to plan lessons; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 671--To provide time for teachers to plan lessons.

SENATE AMENDMENT NO. 3

Amend House Bill No. 671 in subdivision (2) of the amendatory language in Section 1 by deleting the words and figures "For the 1986-87 school year and thereafter" and substituting instead the following:

The State Board of Education is urged to develop and consider rules and regulations to achieve for the 1986-87 school year and thereafter

Mr. McNally moved that the House concur in Senate Amendment No. 3, which motion prevailed by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--93.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

189--Relative to commending Paula Joleen Pickens; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Murphy moved that the rules be suspended for the purpose of considering Senate Joint Resolution No. 189 out of order, which motion prevailed.

Senate Joint Resolution No. 189--Relative to commending Paula Joleen Pickens.

On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Mr. Murphy, the resolution was concurred in.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

648--To increase fees charged by Registers of Deeds.

The Senate refused to recede from its action in nonconcurring in House Amendment No. 5.

The Speaker appointed a Conference Committee composed of Senators Thomas, Kyle, Moore, Burks and Shockley to confer with a like committee from the House to resolve the differences of the two bodies on Senate Bill No. 648.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Davis (Knox) moved that the Speaker appoint a Conference Committee to meet with the Senate Committee to resolve the differences between the two bodies on Senate Bill No. 648, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Davis (Knox), Rhinehart, Cobb, Hillis and Shirley as the Conference Committee on Senate Bill No. 648.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

671--General Appropriations Bill.

The Senate adopted the conference Committee Report and made it the action of the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

CONFERENCE COMMITTEE REPORT ON SENATE BILL 671

The Senate and House Conference Committees appointed pursuant to motions to resolve the differences between the two houses on Senate Bill 671 (House Bill 585) have met and recommend that the following

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House amendment be adopted: 1; and recommend that the following House amendments be deleted: 2 and 3.

The Committee further recommends the following amendments to Senate Bill 671 (House Bill 585) be adopted:

AMEND by deleting the words and figures "Item 12 of Section 11" in Section 1, Title III-22 and by substituting instead the words and figures "Item 11 of Section 10".

AND FURTHER AMEND by deleting the words and figures "Title II, Item 9" in Item 5 of Section 3 and by substituting instead the words and figures "Title II, Item 10".

AND FURTHER AMEND by deleting the words and figures "Public Chapter 965 of 1984" in Item 4 of Section 10 and by substituting instead the words and figures "Tennessee Code Annotated, Section 4-31-108".

AND FURTHER AMEND by deleting the figure "1984-85" in Item 18 of Section 10 and by substituting instead the figure "1985-86".

AND FURTHER AMEND by deleting Item 20 of Section 10 in its entirety.

AND FURTHER AMEND by deleting the words and figures "Title III-9, Item 2.3" in Item 8 of Section 12 and by substituting instead the words and figures "Title III-9, Item 3.3".

AND FURTHER AMEND by deleting the words and figures "Public Chapter 7 of the First Extraordinary Session of 1984" in the last paragraph of Section 39 and by substituting instead the words and figures "Tennessee Code Annotated, Section 49-5-5012".

AND FURTHER AMEND by deleting the first sentence of Section 43 in its entirety and by substituting instead the following:

The provisions of this section shall take effect upon becoming a law. There is hereby appropriated the following amounts which shall be in addition to the appropriations provided under Chapter 1002 of the Public Acts of 1984 and Chapter 14 of the Public Acts of 1984, First Extraordinary Session.

AND FURTHER AMEND by adding the following item at the end of Section 46:

Item _____. The unexpended funds appropriated for legislative computer services by the provisions of Items 16 and 17 of Section 12 of Chapter 503 of the Public Acts of 1981 shall not revert to the General Fund on June 30, 1985, but shall remain available for the purposes appropriated for expenditure in accordance with the provisions of such act.

AND FURTHER AMEND by adding a new item to Section 12, as follows:

Item _____. In addition to all other funds appropriated for the University of Tennessee Space Institute, there is hereby appropriated the additional sum of four hundred fifty thousand dollars (\$450,000) for capital improvements at such institute.

AND FURTHER AMEND by adding to Section 12 the following appropriately numbered item:

() There is appropriated an additional seven hundred four thousand dollars for community mental retardation programs to provide a five percent (5%) continuation increase in the current operating cost of services. These funds shall be applied to current contracted services.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to all other funds appropriated to the Department of Conservation, there is hereby appropriated an additional sum of three hundred thousand dollars (\$300,000) to pay the cost of consolidating the waste treatment system for cabins at Natchez Trace State Park in order to render the waters of Cub Lake fit for human use.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-two thousand two hundred twenty-eight dollars (\$72,228) to the department of labor for the sole purpose of implementing, administering and enforcing the "Hazardous Chemical Right to Know Law", Chapter ____ of the Public Acts of 1985 (HB 731/SB 796). The appropriation made in this item shall only take effect if House Bill No. 731 (SB 796) becomes law.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy-five thousand dollars (\$75,000) to the department of education to award a grant-in-aid in such amount to the Chattanooga Afro-American Heritage Museum and Research Center.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of education the sum of five thousand dollars (\$5,000) for the sole purpose of funding an education grant in aid in such amount to the Children's Museum of Oak Ridge.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty thousand dollars (\$20,000) to the Dulin Art Gallery in Knoxville, Tennessee.

AND FURTHER AMEND by adding the following language to Section 12 as new, appropriately numbered items:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of three hundred twenty-five thousand dollars (\$325,000) to the State Building Commission to be used for purchasing real property at Reelfoot Lake to resolve land ownership and boundary disputes involving the state of Tennessee.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) to the Tennessee Department of Agriculture for further development and implementation of the soil conservation program to promote cultivation of alfalfa hay within the soil conservation districts surrounding Reelfoot Lake.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty thousand dollars (\$60,000) to the Department of Health and Environment to provide matching funds for continuation of the United States Geological Survey's water study at Reelfoot Lake.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated from the general fund of the state the sum of forty-two thousand five hundred dollars (\$42,500) to the Tennessee Wildlife Resources Agency for the purpose of contracting with the University of Tennessee at Martin for the purchase and installation of water monitoring devices at Reelfoot Lake as well as for the performance of a benthic and macroinvertebrates study also at Reelfoot Lake.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated from the general fund of the state the sum of one hundred thirty thousand four hundred dollars (\$130,400) to the Tennessee Wildlife Resources Agency to be used at Reelfoot Lake for vegetation monitoring; erosion control; map and brochure development,

compilation and printing; channel marking; and buffer zone acquisition.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated from the general fund of the state the sum of three million two hundred thousand dollars (\$3,200,000) as an interest free loan to the Tennessee Wildlife Resources Agency for the acquisition and purchase of real property in the Reelfoot Lake basin lying below the elevation of two hundred eighty-five feet (285') mean sea level. Such loan shall be repaid in full to the general fund of the state not later than July 1, 2005, and shall be repaid from user fees collected by the agency within the Reelfoot Lake basin.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

() Sixty-nine thousand, seven hundred eighty-four dollars (\$69,784) is appropriated to the Tennessee Juvenile Justice Demonstration Center operated by Madison County Juvenile Court Services, to be used for building linkages, education communication, coordination, and training of workers in mental health and retardation, corrections, human services, education, and local child-serving agencies in order to establish the multidisciplinary approach which is prerequisite for improving the overall delivery of services to children in Tennessee.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of four million dollars (\$4,000,000), to be allocated appropriately to the general fund and the highway fund, in order to increase the seventy-five dollar (\$75.00) per year longevity payment to eighty-five dollars (\$85.00) per year of applicable service. Furthermore, it is the intention of the general assembly that, notwithstanding any other provision of the law, the per year payment should be increased to ninety dollars (\$90.00) in the 1986-87 fiscal year, to ninety-five dollars (\$95.00) in the 1987-1988 fiscal year, to one hundred dollars (\$100.00) in the 1988-1989 fiscal year.

AND FURTHER AMEND by adding the following new item to Section 35:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the state board of regents the sum of six million, sixty-seven thousand thousand dollars (\$6,067,000) for the following projects:

- (1) \$1,105,000 for the purpose of renovating Ellington Hall on the campus of Austin Peay State University
- (2) \$1,312,000 for the purpose of renovating Ball Hall on the campus of East Tennessee State University
- (3) \$775,000 for the purpose of acquiring land and preplanning the Clinical Education Facility at East Tennessee State University
- (4) \$2,475,000 for the purpose of renovating the Alumni Memorial Building at Middle Tennessee State University
- (5) \$400,000 for the purpose of full planning Phase I of the Nashville State Technical Institute Campus Development

35: AND FURTHER AMEND by adding the following new item to Section

Item _____. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to Shelby State Community College the sum of one hundred thirty seven thousand dollars (\$137,000) for the purpose of absorbing the moving costs incurred by the relocation of the central administrative offices of the institution.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. From the funds appropriated to the University of Tennessee by the provisions of this act, there is earmarked the sum of thirty-five thousand dollars (\$35,000) for the sole purpose of construction restrooms at the 4H Center in Milan, Tennessee.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act for the department of tourism, there is appropriated the sum of forty-two thousand five hundred dollars (\$42,500) for the development, pre-planning and promotion of the Etowah-Copperhill Rail Excursion in cooperation with the departments of economic and community development, transportation and with the city of Etowah and the Seaboard Railroad.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is hereby appropriated three million dollars (\$3,000,000) to the Tennessee Consolidated Retirement System for the purpose of funding and increase in retirement benefits as provided under Public Chapter ____ of 1985 (Senate

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Bill 655/House Bill 813). The appropriation made in this item shall only take effect if Senate Bill 655/House Bill 813 becomes law.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of thirty-two thousand five hundred forty-four dollars (\$32,544) for the purpose of adding three (3) new positions for title clerks in the Department of Revenue, Division of Motor Vehicle Title & Registration.

AND FURTHER AMEND by deleting the language of Section 39 in its entirety and substituting a new Section 39 as follows:

Section 39. The appropriation in Section 1, Title III-10, Higher Education, for Chairs of Excellence Endowment for the state's public universities shall be subject to the provisions of Chapter 119 of the Public Acts of 1985.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is hereby appropriated an additional sum of two hundred eighty-one thousand forty dollars (\$281,040) for the purpose of implementation of Chapter _____ of the Public Acts of 1985 (HB 129/SB 370). The appropriation made in this item shall only take effect if House Bill No. 129/Senate Bill No. 370 becomes law.

AND FURTHER AMEND by adding a new item to Section 9 of the bill, as introduced, to read:

Item _____. There is hereby appropriated a sum sufficient to the State Court Clerks Conference to pay travel claims for attendance at any educational seminars conducted in the fiscal year ending June 30, 1985.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. The sum of ninety-five thousand dollars (\$95,000.00) is hereby appropriated to the endowment fund of the Tennessee Intercollegiate State Legislature Foundation, a 501 (c) (3) organization. It is the legislative intent that this will be a one-time appropriation and will be used to eliminate fees paid by college and universities to participate in TISL. This appropriation is subject to the following conditions:

1. Neither this appropriation nor the income therefrom may be spent for any organization other than TISL.

2. This appropriation shall be returned to the state general fund if the TISL General Assembly fails to meet in any three consecutive school years.

3. This appropriation shall be released only as a dollar-for-dollar match of private contributions to the endowment fund. To this end, this appropriation will not revert to the general fund at the end of this fiscal year, but shall be carried over from year-to-year for the purpose of accomplishing the provisions of this item until July 1, 1995.

AND FURTHER AMEND by adding a new section to read:

SECTION _____. The provisions of this Section shall take effect upon becoming a law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

		<u>1984-85</u>	<u>1985-86</u>
Secretary of State			
1. State Library and Archives	\$	105,000	\$ 105,000
2. Regional Libraries		94,600	-
Total Secretary of State	\$	199,600	\$ 105,000
Commissions			
1. Alcoholic Beverage Commission	\$	50,000	\$ -
2. Obion-Forked Deer Basin Authority		200,000	-
Total Commissions	\$	250,000	\$ -
Department of Finance and Administration			
1. Division of Accounts	\$	-	\$ 25,000
Department of Personnel			
1. Division of Program Services	\$	50,000	\$ 50,000
Department of General Services			
1. Telecommunications	\$	-	\$ 143,900
Wildlife Resources Agency			
1. Wildlife Resources Agency	\$	27,000	\$ 48,000
Department of Economic and Community Development			
1. Division of Energy	\$	300,000	\$ 413,000
Department of Mental Health and Mental Retardation			
1. Alcohol and Drug Abuse Administration	\$	13,200	\$ 47,600
2. Alcohol and Drug Abuse Community Services		190,000	390,000
Total Mental Health	\$	203,200	\$ 437,600

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Department of Military			
1.	Armories Maintenance	\$ 421,700	\$ -
2.	Division of Air National Guard	8,600	34,400
	Total Military	\$ 430,300	\$ 34,400

Department of Health and Environment			
1.	Division of Radiological Health	\$ 21,900	\$ 61,700
2.	Family Planning Service	1,200,000	-
3.	Communicable Disease Control	97,000	194,000
4.	Health Access	196,200	324,200
	Total Health and Environment	\$ 1,515,100	\$ 579,900

Department of Human Services			
1.	Community Services	\$ -	\$ 244,800
2.	Rehabilitative Services	\$ 145,000	\$ 245,800
	Total Human Services	\$ 145,000	\$ 490,600

TOTAL	\$ 3,007,800	\$ 2,469,800
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The Commissioner of Finance and Administration is authorized to establish thirty full-time positions and to allocate them to the appropriate organization units. Any unexpended balances at June 30, 1985, of departmental revenues and federal aid funds appropriated in this Section are hereby reappropriated in the fiscal year beginning July 1, 1985.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the State Building Commission the sum of one million eight hundred forty thousand dollars (\$1,840,000) for the purpose of expansion of the Tennessee Livestock Pavilion at Murfreesboro, including construction and paving of a parking lot adjacent to such facility and completion of livestock sheds.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to all other sums appropriated in this act, there is hereby appropriated the sum of \$225,000.00 to the Department of Mental Health and Mental Retardation for the purpose of making construction grants, such as water, sewerage, or other other basic health requirements, to organizations providing recreational services to mentally retarded citizens. In order to qualify, an organization must meet the following criteria:

1. The organization must be a state-wide, not for profit organization;

2. The organization must operate a recreational facility open to mentally retarded citizens from all parts of the state;

3. The facility must serve a minimum of 500 mentally retarded and/or physically handicapped clients annually.

The appropriation made in this Item and any construction grants made pursuant to this item are subject to the approval of the State Building Commission.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is hereby appropriated four thousand five hundred dollars (\$4500) to compensate Danny Taylor for the value of his confiscated truck. This appropriation is subject to approval by the Board of Claims.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to all other sums appropriated, there is hereby appropriated the sum of three hundred thousand dollars (\$300,000) for the pre-planning of a music building at Austin Peay State University.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of one million dollars (\$1,000,000) to the Department of Health and Environment to fund the Tennessee Perinatal Care Program. Five hundred thousand dollars (\$500,000) of this sum shall be a one time non-recurring appropriation.

AND FURTHER AMEND by deleting from Item 1 of Section 11 the words and figures "one thousand two hundred sixty dollars (\$1,260.00)" and substituting in lieu thereof the words and figures "one thousand three hundred twenty-five dollars (\$1,325.00)".

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of safety the sum of four hundred forty-eight thousand three hundred seventy-nine dollars (\$448,379) for the sole purpose of implementation of Chapter _____ of the Public Acts of 1985 (HB 766/SB 539). The appropriation made in this item shall only take effect if House Bill No. 766/Senate Bill No. 539 becomes law.

AND FURTHER AMEND by deleting from Section 1, Title III-1, the following item:

"6. Public Service Commission \$ 4,674,400.00"

and substitute instead the following item and change the totals accordingly:

"6. Public Service Commission \$ 4,424,400.00"

AND FURTHER AMEND by deleting from Section 4, Title III-1, the following item:

"6. Public Service Commission \$ 987,100.00"

and substitute instead the following item and change the totals accordingly:

"6. Public Service Commission \$ 1,237,100.00"

AND FURTHER AMEND by deleting from Section 1, Title III-14, the following items:

"2.7 Western Mental Health Institute 13,757,800.00
Total Mental Health Services \$ 93,173,700.00
3.7 Winston Developmental Center 183,000.00
Total Mental Retardation Services \$ 21,986,700.00"

and substitute instead the following items:

"2.7 Western Mental Health Institute 13,525,300.00
Total Mental Health Services \$ 92,941,200.00
3.7 Winston Developmental Center 415,500.00
Total Mental Retardation Services \$ 22,219,200.00"

AND FURTHER AMEND by adding to Section 45 of the bill, as introduced, a new item to read:

Item _____. From the appropriations made in Sections 1 and 4 of this act, there is hereby appropriated the first year's debt service on the \$15,000,000.00 general obligation bond issue authorized by Senate Bill 672 - House Bill 584. This appropriation is subject to passage of Senate Bill 672 - House Bill 584.

AND FURTHER AMEND by adding to Section 45 of the bill, as introduced, a new item to read:

Item _____. There is hereby appropriated to the Department of Health and Environment, Hotel and Restaurant Inspection, the sum of \$250,000.00. This appropriation is subject to passage of Senate Bill 96 - House Bill 317, and the appropriation is to be funded from fees generated under said bill.

AND FURTHER AMEND by adding to Section 12 of the bill, as introduced, a new item to read:

Item _____. There is hereby appropriated to the Department of Labor the sum of \$5,000.00 to provide for salary increases of the staff of the Tennessee Learning Center.

Item _____. There is hereby appropriated to the Department of Labor the sum of \$28,000.00 to fund two additional positions for the division of labor standards.

AND FURTHER AMEND by adding to Section 35 of the bill, as introduced, a new item to read:

Item _____. The appropriations in this Act for Centers for Excellence and Post-Secondary Improvements are subject to allocation by the Higher Education Commission and the Commissioner of Finance and Administration. In allocating the appropriation for Centers for Excellence, a consideration shall be planned reductions to existing expenditures to supplement funding for the Centers. The obligation and expenditure of funds appropriated for Centers for Excellence shall be subject to oversight by the special joint committee of the General Assembly created pursuant to the provisions of the Comprehensive Education Reform Act of 1984.

AND FURTHER AMEND by adding to Section 35 of the bill, as introduced, a new item to read:

Item _____. There is hereby appropriated \$168,000 to the Centers for Excellence program to fund the Memphis State University Education Center for Excellence. There is further appropriated \$98,000 to the Tennessee Student Assistance Corporation for the purpose of funding graduate fellowships to qualified students seeking initial teacher certification through completion of a five-year program leading to the Master's degree at a public institution specifically approved by the Tennessee Higher Education Commission to offer such a program.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Tennessee Historical Commission the sum of forty-three thousand dollars (\$43,000) for the sole purpose of research, editing and publication of Volume III of the Biographical Directory of the Tennessee General Assembly.

AND FURTHER AMEND by adding to Section 46 of the bill, as introduced, the following new items to read:

Item _____. The appropriation made to the State Board of Education under the authority of Chapter 1002, Public Acts of 1984, and Chapter 14, Public Acts of 1984, First Extraordinary Session, is hereby reappropriated to the State Board of Education for use in the 1985-86 fiscal year.

Item _____. In addition to the appropriation made in Section 1 of this Act to the State Board of Education, there is hereby appropriated the sum of one hundred sixty-six thousand four hundred dollars (\$166,400). From this appropriation there is earmarked the sum of one hundred thousand dollars (\$100,000) to provide for appeals under the Career Teacher program.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

SECTION _____. There is hereby appropriated five million five hundred thousand (\$5,500,000.00) toward the funding of the accrued liability of the retirement plans for Prior Class State Judges and Attorneys General.

AND FURTHER AMEND by deleting the second sentence of Section 31, Item 1 and substituting in lieu thereof the following:

It is the legislative intent that the appropriation equal revenue collected and apportioned under the provisions of Tennessee Code Annotated, Title 67, Chapter 4, Part 6 and Tennessee Code Annotated 8-37-604 for County Judges and County Officials, and the Commissioner of Finance and Administration shall increase or decrease the appropriation for these officials accordingly. It is the legislative intent that the litigation taxes collected and distributed to fund State Judges and Attorney's General retirement benefits pursuant to TCA 67-4-606 (3) & (4) be transferred to the general fund with an appropriation being made to the Judicial Branch of state government in such amount as determined by the actuary necessary to amortize the accrued liability for these pension benefits over the next 30 years.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this Act, there is appropriated the sum of Two Hundred Fifty Two Thousand Five Hundred and One Dollars (\$252,501.00) for the purpose of funding a new secretarial position for District Attorneys General in the 3rd, 5th, 7th, 9th, 10th, 12th, 13th, 15th, 16th, 17th, 21st, 22nd, 24th, 25th, 26th, 27th, and 29th Judicial Districts.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of health and environment, division of health-related licensing, the sum of one hundred thirteen thousand dollars (\$113,000) for the sole purpose of regulation of health care professionals.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. Notwithstanding any other provision of law to the contrary and in addition to any other appropriation provided herein, there is hereby appropriated to the Department of Revenue the amount of thirteen thousand three hundred ninety-four dollars (\$13,394) for the purpose of administering the taxing provisions of Chapter 205 of the Public Acts of 1985.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

"Item _____. In addition to any other appropriation made in this act, there is hereby appropriated the following amounts to the following entities to carry out the provisions of House Bill 411/Senate Bill 832:

Department of Labor	\$	41,021
Office of Executive Secretary of the Supreme Court Appellate and Trial Courts	\$	98,250

This appropriation is effective only if House Bill 411/Senate Bill 832 is enacted into law."

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the State Board of Regents the sum of sixty-nine thousand dollars (\$69,000) to be used for the purpose of offsetting tuition costs to the fire services providers at the State Fire School in Murfreesboro.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is hereby appropriated the sum of one thousand five hundred dollars (\$1,500) to the Tennessee Historical Commission for the use of the John Sevier Home Association in care and maintenance of the John Sevier House. This appropriation shall be in addition to all other

appropriations to the Tennessee Historical Commission and shall be allocated by the commission to the John Sevier Home Association for the purposes herein stated.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is hereby appropriated to the Department of State, Regional Libraries the sum of \$20,700.00 to implement the state classification-compensation plan study within the Regional Libraries.

AND FURTHER AMEND by adding a new item to Section 35 to read as follows:

Item _____. At the request of the higher education institutions governed by the State Board of Regents and approval by the State Treasurer and Commissioner of Finance and Administration, employees of such institutions may be reclassified from teachers to state general employees for retirement purposes, provided however, that the retirement appropriation for the affected institution be adjusted accordingly with any reduction in appropriation being transferred to the Tennessee Consolidated Retirement System. Any adjustment in the appropriations and resulting transfer of funds is to occur either in the 1984-85 or 1985-86 fiscal year, depending upon the actual date of reclassification of employees.

AND FURTHER AMEND by deleting from Title III-1 of Section 4 the following items:

1.1 Attorney General and Reporter	\$ 300,000.00
3.1 State Treasurer's Office	\$ 4,916,500.00

and by substituting instead the following:

1.1 Attorney General and Reporter	\$ 449,100.00
3.1 State Treasurer's Office	\$ 4,608,700.00

and by appropriately changing the subsequent totals and subtotals.

AND FURTHER AMEND by deleting from Title III-1 of Section 1 the following item:

5. Department of Treasury	\$ 728,200.00
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and by substituting instead the following:

5. Department of Treasury	\$ 924,200.00
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and by appropriately changing the subsequent totals and subtotals.

AND FURTHER AMEND by adding a new item to Section 10 to read as follows:

Item _____. From the appropriations made in Item 1.1 of Title III-1 of Section 4 of this act for the Attorney General and Reporter, the Attorney General and Reporter is authorized to establish four (4) full-time in addition to the positions set forth in the Budget Document for the 1985-86 fiscal year which represent three (3) positions being transferred to the Attorney General and Reporter from the Office of the State Treasurer and one additional position.

AND FURTHER AMEND by deleting from Title III-12 of Section 4, the following:

4. Tennessee Claims Commission \$ 372,100.00

and by substituting instead the following:

4. Tennessee Claims Commission \$ 412,100.00

and by appropriately changing the subsequent totals and subtotals.

AND FURTHER AMEND by adding a new item to Section 46 to read as follows:

Item _____. From the appropriations made in Chapter 1002 of the Public Acts of 1984, the Commissioner of Finance and Administration is authorized to transfer the appropriations made in Title III-1 of Section 1, Items 7.1 and 7.2; Item 3 of Section 12; and the amounts reserved and authorized pursuant to Section 50 of that Act to the various departments and agencies for the purpose of paying the contribution to the Claims Award Fund required of each state department, agency and institution pursuant to T.C.A., Section 9-8-109(b) for the fiscal year ending June 30, 1985.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. From the unobligated funds in the legislative reserve, there is appropriated a sum sufficient to acquire and implement a statutory retrieval, legislation preparation, and legislation status system for the General Assembly. In the event a dedicated system is acquired, the contract(s) for such system shall be awarded to the lowest, qualified bidder(s) meeting specifications. The Advisory Committee on Computerization and the Finance, Ways and Means Committees, meeting jointly, shall establish a fee schedule for the users of the acquired system. Provided, however, that the Office of Legal Services and the Office of Legislative Services shall not be charged for use of the acquired system.

The allocation and expenditure of funds appropriated by the provisions of this item are subject to the approval of the Joint Legislative Services Committee.

AND FURTHER AMEND by adding a new item to Section 45, as follows:

Item _____. There is hereby appropriated a sum not to exceed one million eight hundred thousand dollars (\$1,800,000) for the purpose of funding Senate Bill 263/House Bill 291, if such bill becomes a law.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. Any amounts held in the credit and refund account, or any other similar account, in the Department of Revenue as of June 30, 1985, which has not been identified as sales tax refunds, less any amounts in previous fiscal years so identified and considered as state revenue, shall be considered state revenue for budget purposes and/or for determining the amount of funds available for obligation and/or expenditures for fiscal year 1984-85.

AND FURTHER AMEND by adding the following new item at the end of Section 46:

Item _____. In addition to any other funds appropriated by this act, there is hereby appropriated to the Department of Human Services the sum of \$5,485,600 in state and federal funds to implement the provisions of P.L. 98-378, the federal child support enforcement amendments of 1984, and/or Public Chapter ___, Tennessee Public Acts of 1984 (SB 508/HB 289), such funds to be divided as follows:

\$3,963,300	federal funds
<u>1,522,300</u>	state funds

\$5,485,600 total

There is also appropriated to the Department of Human Services an additional amount of \$18,065,200 in nongovernmental funds for family payments and incentives. Such funds to be collected by the state pursuant to the child support enforcement provisions.

Further, there is hereby appropriated to the Department of Human Services the sum of \$185,600 in state and federal funds to fund the child support enforcement program in the fiscal year ending June 30, 1985, said funds to be divided as follows:

\$129,900	federal funds
<u>55,700</u>	state funds
\$185,600	total

AND FURTHER AMEND by deleting in its entirety Section 42 of the bill, as introduced and substitute a new Section 42 to read:

SECTION 42. The appropriation of five million dollars (\$5,000,000.00) made in Section 1, Title III-21, Item 1.14 for Classification-Compensation Plan is hereby appropriated to implement the state employee's classification-compensation plan study; and there is further appropriated federal match funds and other departmental revenue earnings, all according to the following schedule:

<u>Department</u>	<u>State Appropriation</u>	<u>Departmental Revenue</u>
1. Agriculture	\$ 34,300	\$ 5,900
2. Commissions	151,200	7,700
3. Commerce and Insurance	56,600	55,400
4. Conservation	428,200	8,000
5. Correction	1,008,700	30,700
6. Economic and Community Development	47,000	9,000
7. Education	102,200	21,300
8. Employment Security	-	822,300
9. Executive	1,000	300
10. Finance and Administration	13,500	14,500
11. Financial Institutions	-	3,700
12. General Services	64,500	74,300
13. Health and Environment	345,100	233,400
14. Human Services	848,600	694,500
15. Labor	11,000	45,100
16. Mental Health and Mental Retardation	1,024,200	1,800
17. Military	18,500	53,800
18. Personnel	21,400	2,800
19. Revenue	258,400	-
20. Safety	196,600	200
21. Tennessee Bureau of Investigation	19,700	1,500
22. Tennessee Student Assistance Corporation	2,400	7,100
23. Tourist Development	21,300	14,500
24. Veterans Affairs	\$ 12,500	\$ -
25. Legislature	43,700	400
26. Court System	44,100	-
27. Attorney General	29,700	-
28. District Attorneys General	22,300	1,900
29. Secretary of State	34,800	-

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30. Comptroller of the Treasury	133,900	7,000
31. Treasurer	<u>4,600</u>	<u>30,700</u>
Total	\$ 5,000,000	\$2,147,800

There is further appropriated from dedicated state revenues, federal match funds and other departmental revenue earnings, all according to the following schedule:

<u>Department</u>	<u>State Appropriation</u>	<u>Departmental Revenue</u>
1. Wildlife Resources	\$ 9,400	\$ -
2. Public Service Commission	42,900	-
3. Transportation	<u>454,000</u>	<u>184,700</u>
Total	\$ 506,300	\$ 184,700

AND FURTHER AMEND by deleting from Section 1, Title III-25 the following:

"1.1	Operations Administration	\$ 4,346,000.00
1.2	Engineering Administration	13,394,000.00
1.11	Interstate Construction	19,200,000.00
1.12	Primary Construction	16,700,000.00
	Total Bureau of Operations	\$240,522,000.00
2.	Bureau of Planning and Development	\$ 10,480,000.00
3.	Transportation Engineer	5,697,000.00
4.4	DOT Headquarters	3,068,000.00
	Total Operations	\$ 13,701,000.00
	Total Department of Transportation	\$270,400,000.00

and substitute instead the following:

"1.1	Operations Administration	\$ 4,653,000.00
1.2	Engineering Administration	13,380,000.00
1.11	Interstate Construction	12,800,000.00
1.12	Primary Construction	30,000,000.00
	Total Bureau of Operations	\$247,715,000.00
2.	Bureau of Planning and Development	\$ 10,540,000.00
3.	Transportation Engineer	6,187,000.00
4.4	DOT Headquarters	2,325,000.00
	Total Operations	\$ 12,958,000.00
	Total Department of Transportation	\$277,400,000.00

AND FURTHER AMEND by deleting from Section 1, Title III-25 in the third paragraph, first sentence the figure "250,000,000.00 and substitute instead the figure "257,000,000.00"

AND FURTHER AMEND by deleting from Section 4, Title III-22 the following:

"1.	Planning and Research	\$ 4,000,000.00
4.	Interstate Construction181,300,000.00
5.	Primary Construction 49,900,000.00
Total Title III-22		\$390,850,000.00

and substitute instead the following:

"1.	Planning and Research	\$ 3,600,000.00
4.	Interstate Construction151,000,000.00
5.	Primary Construction 70,400,000.00
Total Title III-22		\$380,650,000.00

AND FURTHER AMEND by adding a new section to read:

SECTION _____. In addition to the appropriations included in Section 1 of this act, there is hereby appropriated to the Department of Transportation the sum of \$23,998,000.00 to be allocated as follows: 1) \$20,000,000.00 for Highway Maintenance and Marking and 2) \$3,998,000.00 for State Construction. Further, the limitation in Section 1, Title III-25, on state funds accruing to the Department in the fiscal year ending June 30, 1986, is hereby increased by \$23,998,000.00. This appropriation is subject to the passage of Senate Bill 776/House Bill 805.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. With respect to any acquisition in excess of one million dollars (\$1,000,000.00) for a multi-year contract or \$500,000 for a one time purchase involving funds appropriated under this act for data processing equipment and services, the proposed specifications for the acquisition shall be reviewed by the Fiscal Review Committee prior to release of the specifications to prospective vendors, and the proposed bid award shall be reviewed by the Fiscal Review Committee prior to final award of the bid. All other data processing acquisitions will follow a process by the Department of General Services as approved by the Board of Standards, which will include a pre-bid conference where funds appropriated by this act exceed \$100,000 and on all other data processing equipment and services, where practicable. All proposed data processing procurement awards to other than the lowest bidder and in cases where only one bid has been received will be reported by the Department of General Services to the Fiscal Review Committee prior to award. Nothing

in this item shall be construed as prohibiting review by the Fiscal Review Committee or other proposed acquisitions of data procuring equipment and/or services. This provision shall not apply to acquisitions by institutions of higher learning.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is hereby appropriated a one-time sum of two million five hundred thousand dollars (\$2,500,000) for the purpose of implementing the provisions of Senate Bill 453/House Bill 412 in Shelby County, if such bill becomes a law, and the substantive provisions of such bill are hereby incorporated as fully as printed herein to the extent necessary to implement this item, and this appropriation, in Shelby County; provided, however, that notwithstanding any provision of that bill to the contrary, the funds appropriated herein shall be administered by the Tennessee Housing Development Agency in conjunction with its other programs, but in accordance otherwise with the provisions of Senate Bil 453/House Bill 412.

AND FURTHER AMEND by adding a new section to read:

SECTION _____. The provisions of this Section shall take effect upon becoming a law, the public welfare requiring it. There is hereby appropriated from departmental revenues and federal aid funds the amounts hereinafter set out:

	<u>1984-85</u>	<u>1985-86</u>
Department of Agriculture		
1. Soil Conservation	\$ 30,000	\$ -
Department of Commerce and Insurance		
1. Fire Prevention	\$ -	\$ 90,000
2. Loans and Securities	-	16,000
Total Commerce and Insurance	\$ -	\$ 106,000
Department of Mental Health and Mental Retardation		
1. Alcohol and Drug Abuse Administration	\$ 11,000	\$ 49,000
2. Mental Health Services Administration	10,000	38,200
3. Community Mental Health Services	-	939,600
Total Mental Health and Mental Retardation	\$ 21,000	\$ 1,026,800
Department of Health and Environment		
1. Office of Staff Support Services	\$ 133,400	\$ 284,500
2. Communicable Disease Control	69,500	34,700
3. Supplemental Food Program	1,500,000	1,500,000

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4. Health Access	85,000	85,000
Total Health and Environment	\$ 1,787,900	\$ 1,904,200
TOTAL	\$ 1,838,900	\$ 3,037,000

The Commissioner of Finance and Administration is authorized to establish eight full-time position and to allocate them to the appropriate organization units. Any unexpended balances at June 30, 1985, of departmental revenues and federal aid funds appropriated in this Section are hereby reappointed in the fiscal year beginning July 1, 1985.

AND FURTHER AMEND by adding a new section to read:

SECTION _____. There is hereby appropriated to the Department of Finance and Administration an amount not to exceed \$1,500,000.00 to implement in the Division of Accounts a new centralized accounting and financial reporting system.

AND FURTHER AMEND by adding the following new item at the end of Section 46:

Item _____. No amounts in excess of 112.7 % of the net payments for medicaid services, including ICF, for the fiscal year ending June 30, 1985 shall be charged against the appropriation including appropriation of federal funds and other funds, for fiscal year 1984-85 to medicaid excluding administration. Such appropriation shall include amounts appropriated under the provision of Chapter 1002, Public Acts of 1984, plus the amount accrued (\$75,327,000) for medicaid for budget purposes as of June 30, 1984.

AND FURTHER AMDEND by adding the following new item at the end of Section 12:

Item _____. There is appropriated the sum of two million dollars (\$2,000,000) to the commission on fire fighting personnel standards and education for payment to eligible units of local government to pay bounus supplements to firemen who successfully complete an in-service training program appropriate to such fireman's rank and responsibility and the size and location of his department of at least forty (40) hours duration at a shcool established or certified by such commission. The funds appropriated by this item shall be disbursed in accordance with the provision of Tennessee Code Annotated, Title 4, Chapter 24 and no supplement to any person shall exceed five hundred dollars (\$500).

AND FURTHER AMEND by adding the following new item at the end of Section 13:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of \$27,987.62 for the sole purpose of funding the Lower Court Prosecutor position now funded by the counties comprising the Twenty-Third (23rd) Judicial District.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. Notwithstanding any other provision of law to the contrary and in addition to any other appropriation provided herein, there is hereby appropriated to the Department of Revenue the amount of three hundred twenty-two thousand four hundred dollars (\$322,400) for the purpose of administering the provisions of Senate Bill 652 (House Bill 501).

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. From the appropriations made under Chapter 1002, Public Acts of 1984, to the Department of Legislature, any unexpended funds shall be carried forward in a reserve into the fiscal year beginning July 1, 1985 for expenditure in that year, subject to the approval of the Speaker of the Senate and the Speaker of the House of Representatives.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is hereby appropriated a sum sufficient for the purpose of funding Senate Bill 201/House Bill 59, if such bill becomes a law.

AND FURTHER AMEND in Section 1, Title III-19 by adding the following:

There is appropriated the additional sum of one million five hundred thousand dollars (\$1,500,000) in non-recurring funds for automation of the state's fingerprint files.

AND FURTHER AMEND by adding a new item at the end of Section 46:

Item _____. In addition to the appropriation in Section 4 of this act, there is hereby appropriated from departmental revenues an amount not to exceed \$1,500,000.00 to the Tennessee Bureau of Criminal Investigation for the purpose of developing a criminal information center. This appropriation is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND in Section 1, Title III-9, item 3.1 a. by increasing the totals for the Tennessee Foundation Program, the

Subtotal State Foundation Program, and the Total Title III-9, by two million five hundred thousand dollars (\$2,500,000).

Item _____. The increase of two million five hundred thousand dollars (\$2,500,000) provided for by this amendment in the Tennessee foundation program shall be used by local education agencies for purchase of instructional supplies. It shall be distributed on the basis of \$2.26 per pupil WFTEADA. Funds so distributed shall be maintained in a special account operated in accordance with the provisions of Section 49-3-310(3). This appropriation is intended to relieve local education agencies of the need to solicit funds from the public through student drives for the purpose of providing funds for teachers to have to purchase such supplies out of their own pockets. The state board of education shall develop a policy on the use of these funds and on student fundraising activities.

AND FURTHER AMEND in Section 1, Title III-9, item 3.1 a. by increasing the totals for the Tennessee Foundation Program, the Subtotal State Foundation Program, and the total Title III-9, by two hundred thousand dollars (\$200,000).

Item _____. The increase of two hundred thousand dollars (\$200,000) provided for by this amendment in the Tennessee Foundation program shall be used by local education agencies for the operation and maintenance of school buildings. It shall be distributed on the basis of per pupil WFTEADA.

AND FURTHER AMEND in Section 1, Title III-9, item 3.1 e. by deleting the figures "9,201,800" for Textbooks and substituting the figures "11,501,800" and adjusting the State Foundation Program subtotal and the total for Title III-9 accordingly.

AND FUTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is hereby appropriated to the Department of Education the sum of \$2,500,000 to provide for a one-time distribution of funds for textbooks to local education agencies.

AND FURTHER AMEND by adding to the end of Section 36 the following new language:

In addition to salary increases resulting from implementation of changes in the classification/compensation plan provided for elsewhere in this act, employees in the state service shall receive salary increases as follows:

a. employees whose job performance is satisfactory and who have at least 12 months of state service as of July 1, 1985, shall receive a one-step salary increase effective July 1, 1985.

b. employees whose job performance is satisfactory and who have at least five years of state service as of July 1, 1985, shall receive an additional one-step salary increase effective July 1, 1985, so long as the employee's salary level as of June 30, 1985, is at or below the second step of the employee's salary range;

c. employees whose job performance is satisfactory and who have less than 12 months of state service as of July 1, 1985, shall receive a one-step salary increase when they reach 12 months of state service during the 1985-86 fiscal year. The one-step salary increase shall be effective the first day of the month following the completion of the twelfth month;

d. employees whose job performance is satisfactory and who have less than five-years of state service as of July 1, 1985, shall receive an additional one-step salary increase when they reach the five years of state service during the 1985-86 fiscal year so long as the employee's salary level as of June 30, 1985 is at or below the second step of the employee's salary range. The additional one-step salary increase shall be effective the first day of the month following the completion of the fifth year;

e. the provisions of subsections a, b, c, and d above shall not apply to commissioned members of the highway patrol;

f. the provisions of subsections a, b, c, and d above shall not apply to commissioned members of the Motor Vehicle Enforcement Division of the Department of Safety if Senate Bill No. 539/House Bill No. 766 becomes law on or before July 1, 1985;

g. it is legislative intent that employees in the state service shall receive a one-step salary increase each year upon completion of an additional year of satisfactory service.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. From capitol outlay funds made available to the State Building Commission and/or the Department of Finance and Administration, there is hereby earmarked the following amounts for the following purposes:

a. An amount of \$200,000 for the sole purpose of construction of a national guard armory at Dyersburg, Tennessee, and

b. An amount of \$100,000 for land acquisition at the armory at Union City.

AND FURTHER AMEND by adding a new item to Section 35, as follows:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to Columbia State Community College the sum of two hundred fifty thousand dollars (\$250,000) for the purpose of constructing a swimming facility for Columbia State Community College in Maury County. It is the legislative intent that such funds shall be used on a one-to-one matching basis with funds raised locally, with the local funds being held and coordinated by a trustee designated by the Maury County legislative delegation for such purpose. It is the further legislative intent that the swimming facility shall be located on the property of Columbia State Community College in Maury County, but in consideration of the local role in raising funds shall be available for use by the local community. The expenditure of this appropriation shall be subject to the approval of the state building commission, and the appropriation shall come from non-recurring funds.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. From funds available to the State Building Commission for pre-planning, there is hereby appropriated the sum of two hundred thousand dollars (\$200,000) for pre-planning for the design and construction of a research and office building for the University of Tennessee's Agricultural Experiment Station at Jackson.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated to the Department of State the sum of two hundred fifty three thousand dollars (\$253,000) to strengthen the enforcement of bingo statutes. These funds shall be allocated \$155,000 for the funding of salary and benefits for six (6) additional positions and to upgrade existing positions, and \$98,000 for other expenditures to equip and support these positions.

AND FURTHER AMEND by adding a new item to Section 45, as follows:

Item _____. There is hereby appropriated to the Tennessee wildlife resources agency the additional sum of one hundred six thousand dollars (\$106,000.00). This appropriation is for the non-game/endangered species program, including \$52,000 for development of Amnicola Marsh, shall come from the general fund, and is in addition to all other appropriations or allocations to the Tennessee wildlife resources agency.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated a sum sufficient to require the state insurance committee to establish criteria by July 1, 1985 for the enrollment of state employees in the group insurance plan when such state employees have been enrolled in other group plans through non-state employee spouses and a death, a lay off from employment or a divorce result in the ineligibility of the state employee to continue to participate in the group plan of the non-state employee spouse.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is hereby appropriated the sum of sixty thousand dollars (\$60,000) in sums of fifteen thousand dollars (\$15,000) each for Sequatchie Valley Planning and Development Agency, Beech River Watershed Development Authority, Elk River Development Agency and Upper Duck River Development Agency, Fiscal Year 1985-86.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of three hundred thousand dollars (\$300,000) for completing the construction of the West Tennessee Agricultural Museum at Milan, Tennessee. This appropriation shall be from nonrecurring funds, and its expenditure shall be subject to the approval of the State Building Commission.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of seventy thousand dollars (\$70,000) to the University of Tennessee's Institute for Public Service for the sole purpose of funding training programs for county officials to be conducted by the Center for Government Training, in cooperation with the County Officials Association of Tennessee and the Tennessee County Services Association.

AND FURTHER AMEND by adding the following new item to Section 46:

Item _____. In addition to any other funds herein appropriated to Meharry Medical College, there is hereby appropriated to Meharry Medical College the sum of three hundred sixty-seven thousand dollars (\$367,000) for program enhancement of the Meharry Family Practice Center.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is hereby appropriated \$182,250.00 to the Department of Conservation, Historical Commission, for the purpose of making a grant for the development of an Alex Haley Museum and tourism complex at Henning, Tennessee. The appropriations made in this item is subject to the approval of the state building commission.

AND FURTHER AMEND by deleting Section 33 in its entirety and by substituting instead the following:

(a) From the appropriation to the Law Enforcement Training Academy in Section 1, there is hereby appropriated the sum of one million dollars (\$1,000,000) for payment to eligible local units of government which have required all police officers to complete during calendar year 1985 an inservice training course appropriate to each officer's rank and responsibility commensurate with the size and location of his department of at least 40 hours duration at a school certified or recognized by the Peace Officer Standards and Training Commission.

No recipient shall be eligible to receive a supplement of more than one hundred fifty dollars (\$150) pursuant to such appropriation.

(b) There is appropriated an additional sum sufficient not to exceed three million dollars (\$3,000,000) from the police pay supplement fund created by Chapter ____ of the Public Acts of 1985 (HB 132/SB 545) to increase the supplement to the total sum of six hundred dollars (\$600) for each eligible officer pursuant to subsection (a). The appropriation made in this subsection (b) shall only take effect if House Bill No. 132 (SB 545) becomes law.

AND FURTHER AMEND by adding to Section 45 of the bill, as introduced, a new item to read:

Item _____. In addition to the appropriation in Section 1 of this act, there is hereby appropriated to the Department of Mental Health and Mental Retardation the sum of \$1,500,000. This appropriation is for the purpose of establishing and administering programs for the prevention and treatment of alcohol and drug abuse in youth.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of two million nine hundred forty-two thousand nine hundred eighty-three dollars (\$2,942,983) for the purpose of implementation of Chapter

___ of the Public Acts of 1985 (HB 495/SB797). The appropriation made in this item shall only take effect if House Bill No. 495/Senate Bill No. 797 becomes law.

AND FURTHER AMEND by adding the following language at the end of Section 1, Title III-10, Item 1.2:

It is the legislative intent that no funds appropriated by this act, or any other act, shall be used to fund new contract programs for Vanderbilt Policy Development if a doctorate program in public administration, or a similar program, is approved at Tennessee State University. Any funds appropriated in this act, or any other act, for Vanderbilt Policy Development shall be impounded until the decision on the Tennessee State University program is made.

AND FURTHER AMEND by adding to Section 46 of the bill, as introduced, a new item to read:

Item ___. The appropriation made to the Department of Education for Research and Technical Assistance Grants under Section 2, Title I, Chapter 14, Public Acts of 1984, First Extraordinary Session, is hereby reappropriated for such expenditure for such purpose in the 1985-1986 fiscal year.

AND FURTHER AMEND by adding to Section 46 of the bill, as introduced, a new item to read:

Item ___. The appropriations made to the Department of Conservation in Chapter 1002, Public Acts of 1984, under the authority of Section 1, Title III-5, item 1 for a grant to Historic Rugby and under Section 11, item 29 and Section 12, items 9 and 30 for Indian Mountain State Park, the Chickasaw Basin Authority and the City of Knoxville, are hereby reappropriated to be expended for such purposes in the 1985-1986 fiscal year.

AND FURTHER AMEND by adding to Section 46 of the bill, as introduced, a new item to read:

Item ___. The appropriations made to the Department of Transportation in Chapter 1002, Public Acts of 1984, under Section 1, Title III-25, items 2 and 3 for the purpose of updating the department's accounting system and to purchase the computer assisted drafting and design system (CADD) are hereby reappropriated for expenditure for such purposes in the 1985-1986 fiscal year.

AND FURTHER AMEND by deleting from Section 46 of the bill, as introduced, item 1 in its entirety and substituting instead a new item 1 to read:

Item 1. If the expenditures for the Division of Administration of the Department of Correction, Turney Industrial Center, Bledsoe County Regional Correctional Facility or Morgan County Regional Correctional Facility exceed the appropriations in Section 1, Title III-7, of Chapter 1002, Public Acts of 1984, and Section 2, Title III-19, of Chapter 14, Public Acts of 1984, First Extraordinary Session, the other appropriations in Section 1, Title III-7, of Chapter 1002 and Section 2, Title III-19, of Chapter 14 are available for transfer to the Division of Administration, Turney Industrial Center, Bledsoe County Regional Correctional Facility and Morgan County Regional Correctional Facility. This item is subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by deleting from Section 46, item 2 of the bill, as introduced, the figure:

"\$1,299,000.00"

and substituting instead the figure:

"\$1,600,000.00"

AND FURTHER AMEND by adding to Section 45 of the bill, as introduced, a new item to read:

Item _____. The funds appropriated in Section 1, Title III-21, item 1.12 for Tennessee Homecoming '86 shall be available for transfer subject to approval by the Commissioner of Finance and Administration; provided however that the sum of \$900,000.00 shall be transferred to the State Library and Archives.

AND FURTHER AMEND by adding to Section 46 of the bill, as introduced, a new item to read:

Item _____. The appropriations for Medicaid Administration, Medicaid Services and Medicaid Long-Term Care made under the authority of Section 1, Title III-16 of Chapter 1002, Public Acts of 1984, are available for transfer between program units. Said transfers are subject to approval by the Commissioner of Finance and Administration.

AND FURTHER AMEND by deleting from Section 45, item 4 of the bill, as introduced, the figure:

"\$7,488,000.00"

and substitute instead the figure:

"\$7,627,000.00"

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Department of Economic and Community Development the sum of two hundred fifty thousand dollars (\$250,000) for the purpose of granting Grundy County that amount to design and construct an industrial building in the Grundy County Industrial Park, and to revise totals accordingly. The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 33:

In addition to the funds appropriated in this act, there is hereby appropriated an amount not to exceed \$1,790,000 for the operations of the two year and area vocational schools. Such funds herein appropriated by this item shall only be utilized to offset any funds deducted from the two year and area vocational school budgets in anticipation of an allocation of federal vocational funds from the state department of education, and the state board of regents is hereby directed to make every effort to earn the maximum amount of federal vocational funds under the new guidelines of the Carl Perkins Vocational Education Act.

AND FURTHER AMEND by adding a new item to Section 12, as follows:

Item _____. In addition to all other funds appropriated to the Department of Education, there is hereby appropriated the sum of four million dollars (\$4,000,000) for the purpose of implementing the provisions of Senate Bill 133/House Bill 900 in grades one (1) and two (2), subject to the following conditions:

(1) There shall be one (1) guidance counselor per five hundred (500) students in average daily attendance in grades one (1) through two (2).

(2) Notwithstanding the provisions of paragraph (1) above, there shall be at least one (1) elementary guidance counselor per county.

(3) Multiple school systems in a single county which have insufficient grade one (1) and two (2) populations to have individual counselors in each system shall share the available counselors on a county-wide basis.

(4) The elementary school guidance counselor program shall be established and operated under guidelines adopted by the state board of education. The state board of education shall report on the implementation and

effectiveness of the program in its annual report to the general assembly. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Section _____. In addition to any other funds appropriated by this act, there is appropriated to the department of conservation the sum of four hundred ten thousand dollars (\$410,000.00) for the division of parks and recreation, to be used for investigation and reconstruction of various archaeological sites.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is hereby appropriated to the state building commission an additional sum of seven hundred fifty thousand dollars (\$750,000) to be used exclusively for renovation and major maintenance of the National Guard Armory in Hamilton County. The appropriation made in this item is subject to the approval of the commissioner of finance and administration.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-eight thousand dollars (\$28,000) for the graduate training program in dentistry at Meharry Medical College. Such funds shall be expended in accordance with the provisions of Tennessee Code Annotated, Section 49-7-404. The appropriation made in this item shall only take effect if Senate Bill 853/House Bill 861 becomes law.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of twenty-one thousand dollars (\$21,000) for the psychiatric resident training program at Meharry Medical College. The appropriation made in this item shall only take effect if Senate Bill 853/House Bill 861 becomes law.

AND FURTHER AMEND by deleting the words and figures "seventy percent (70%)" in Item 1 of Section 17 and by substituting instead the words and figures, "not less than seventy percent (70%), but up to eighty percent (80%) to the maximum extent an increase in the state share can be accomplished through savings in the program".

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated any savings resulting from any change in the existing state insurance program in order to increase the state payment on behalf of participating employees to eighty percent (80%) of the cost of each individual's participation in the basic group medical insurance program pursuant to Item 1 of Section 17 of this act.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. It is the legislative intent that the Insurance Committee approve state participation in a preferred provider organization(s) to accomplish saving available to the plan.

AND FURTHER AMEND by adding the following item to Section 11:

Item _____. In accordance with Tennessee Code Annotated, Section 14-23-106, in addition to the other categories of eligibility there shall be a category of medical assistance eligibility for those children who:

- (1) were born after September 30, 1967;
- (2) are eighteen (18) years of age or younger; and
- (3) are in intact families which meet the AFDC income and resource limits.

AND FURTHER AMEND by adding the following item to Section 12:

Item _____. In addition to the funds made available under Section 1, there is hereby appropriated the sum of \$3,492,340.00) to the Department of Health and Environment to fund changes in the Medicaid programs. Departmental federal aid revenues in Section 4 shall be adjusted accordingly in an amount not less than \$8,226,930.00.

AND FURTHER AMEND by adding a new item to the appropriate section be appropriately numbered and to read as follows:

Item _____. It is the legislative intent that Medicaid expenditures for fiscal year 1985-86 not exceed Medicaid expenditures for fiscal year 1984-85, by more than twelve percent (12%); provided, however, that this limitation shall not apply to:

1. The estimated cost of Medicaid service improvements for 1985-86 authorized by the 1985 session of the General Assembly, and

2. Payments made from the Medicaid Program to state mental health institutions.

AND FURTHER AMEND by adding the following language to Section 35, Item 1:

"It is the legislative intent that all support personnel of the Board of Regents and the University of Tennessee shall receive at least a four percent (4%) salary increase effective July 1, 1985 unless the most recent evaluation from the 1984-85 school year is unsatisfactory and is present in the employee's personnel file."

AND FURTHER AMEND by adding a new section to be appropriately number and to read as follows:

Section (). In addition to any other appropriation made in this Act, there is hereby appropriated each amount and/or sum shown below to carry out the provisions of each of the indicated bills, provided each such bill(s) are enacted into law. The amount or sum shown under the "Amount" column shall be an appropriation only if the indicated bill(s) are enacted into law. The amount and/or sum shown below represents the estimated first year's funding for each of the indicated bills and/or acts:

Bill Number Senate/House	Amount
702 / 522	\$ 98,833
904 / 1009	65,600
440 / 651	29,570
693 / 896	71,000

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of \$376,000 for the pay of salaries to teachers in the Department of Correction for the implementation of Chapter ____ of the Public Acts of 1985 (SB 524/HB 238). The appropriation made in this item shall only take effect if Senate Bill No. 524 / House Bill No. 238 becomes law.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

In addition to any other funds appropriated by the provisions of this act there is appropriated the sum of \$308.00 for the sole purpose of implementation of the provisions of Chapter ____ of the Public Acts of 1985 (HB 706; SB 746).

The appropriations made in this item shall only take effect if the House Bill and the Senate Bill become law.

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AND FURTHER AMEND by adding the following new item at the end of Section 12:

In addition to any other funds appropriated by the provisions of this act there is appropriated the sum of \$800.00 for the sole purpose of implementation of the provisions of Chapter ____ of the Public Acts of 1985 (HB 11; SB 62)

The appropriations made in this item shall only take effect if the House Bill and the Senate Bill become law.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is hereby appropriated a sum not to exceed fifty-four thousand eight hundred fifty-five dollars (\$54,855) for the purpose of funding Public Chapter 247 of the Public Acts of 1985.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

In addition to any other funds appropriated by the provisions of this act there is appropriated the sum of \$13,422.00 for the sole purpose of implementation of the provisions of Chapter ____ of the Public Acts of 1985 (HB 970; SB 586).

The appropriations made in this item shall only take effect if the House Bill and the Senate Bill become law.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of sixty-seven thousand five hundred dollars (\$67,500) for the sole purpose of implementation of Chapter ____ of the Public Acts of 1985 (SB 417/HB 981). The appropriation made in this item shall only take effect if Senate Bill No. 417/House Bill No. 981 becomes law.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. From the funds appropriated to the Department of Education for the Tennessee Foundation Program, there is hereby earmarked the sum of ninety-five thousand dollars (\$95,000) for the purpose of implementing the provisions of Senate Bill 31/House Bill 14.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is appropriated \$182,250.00 to the Department of Conservation, Historical Commission, for the purpose of making a grant for the development of an Archie Campbell Museum and tourism complex at the Archie Campbell Home in Bull's Gap, Tennessee; provided, however, the appropriation made in this item shall only take effect if the Archie Campbell Home is sold to the State of Tennessee for \$1.00. The appropriation made in this item is subject to the approval of the State Building Commission and the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to other funds appropriated by this act, there is appropriated an additional amount to the Beck Cultural Center in Knoxville, Tennessee so that the total amount of funds appropriated is seventy-six thousand dollars (\$76,000). The appropriation made in this item is subject to the approval of the Commissioner of Finance and Administration.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the Heritage Museum in Erwin, Tennessee the sum of twenty-three thousand dollars (\$23,000) for the purpose of making general improvements at such museum.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of fifty thousand dollars (\$50,000) to the City of Knoxville for the sole purpose of constructing a "Theater-on-the Lake" at Chilhowee Park, Knoxville, Tennessee. The appropriation made in this item is subject to the approval of the State Building Commission.

AND FURTHER AMEND by deleting Item (3) of Section 11 in its entirety and by renumbering subsequent items accordingly.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. There is appropriated the sum of \$200,000 for the purpose of implementing the provisions of House Bill NO. 860/Senate Bill No. 958. The appropriation made in this item shall only take effect if House Bill No. 860/Senate Bill No. 958 becomes law.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of one hundred twenty-five thousand dollars (\$125,000) to the Memphis Health Center to provide health care for infant children.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. From the funds appropriated by the provisions of this act to the Department of Tourist Development, there is earmarked the sum of seventy-five thousand dollars (\$75,000) for the sole purpose of advertising in black-oriented media in states outside of Tennessee.

AND FURTHER AMEND by adding the following new section immediately preceding the severability clause section and by renumbering the subsequent sections accordingly:

Section _____. In accordance with the provisions of Tennessee Code Annotated, Title 9, Chapter 6, Part 2, the General Assembly by enactment of this act acknowledges, based upon the report of the state funding board, that the estimated rate of growth of the state's economy for calendar year 1985 is 8.67%.

AND FURTHER AMEND Section 46 of the bill, as introduced by adding a sentence at the end of the introductory paragraph to read:

"At June 30, 1985, any unexpended balances of appropriations made in this section shall not revert to the general fund, but shall be carried forward in a reserve into the fiscal year beginning July 1, 1985, to be available for expenditure."

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. From the funds appropriated to the department of conservation by the provisions of this act, there is earmarked a sum sufficient not to exceed sixty thousand dollars (\$60,000) for the purpose of construction or renovation and repair of restrooms at Panther Creek State Park.

AND FURTHER AMEND by adding a new item to the end of Section 46 (original bill) to read as follows:

Item _____. No amounts in the account "designated for claims against the state" or any other similar account for which liabilities have not been specifically identified, shall be carried forward for budget purposes, to the 1985-86 fiscal year.

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AND FURTHER AMEND by deleting Section 29 (original bill) in its entirety and by substituting in lieu thereof the following language:

"SECTION 29. BE IT FURTHER ENACTED

(a) To the extent state revenues and/or other funds made available to the general fund for the fiscal year ending June 30, 1985 exceed the requirements of such fund for the fiscal year ending June 30, 1985, there is hereby appropriated such excess amount to the State Funding Board for the cancellation of bonds authorized but unissued. The Funding Board shall, to the extent of such funds made available to it for that purpose, cancel any bonds authorized but unissued as of June 30, 1985.

(b) From the appropriations made to the State Funding Board in Section 1, Title III-26, the Funding Board is hereby authorized to allocate and provide to the capital projects fund such funds not required for debt service during fiscal year 1985-86 for projects duly authorized and approved by the General Assembly; provided, however, that when the Funding Board allocates funds under this provision, any other appropriation or bond authorization for said purpose is hereby reduced accordingly.

(c) An amount of \$8,000,000 shall be transferred, effective June 30, 1985, from the debt service fund to the capital projects fund to fund capital projects authorized by the 1985 General Assembly."

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. From the appropriation made to the Department of Health and Environment in Section 1, Title III-16 and Section 4, Title III-17 of this Act \$283,600 is hereby appropriated for the purpose of implementing Chapter ____ of the Public Acts of 1985 (SB 763/HB 616). Further, the Department is authorized to establish six (6) full-time positions in addition to those authorized in the 1985-86 Budget Document.

This item shall be effective only upon passage and enactment of SB 763/HB 616.

AND FURTHER AMEND by adding a new item to Section 11, as follows:

Item _____. All revenues derived from Tennessee Code Annotated, Section 57-3-302, from wine produced in Tennessee from agricultural products produced in Tennessee are hereby allocated as follows:

(1) Fifty percent (50%) for the purpose of providing alcohol abuse programs for children; and

(2) Fifty percent (50%) to the University of Tennessee at Knoxville to conduct studies concerning the feasibility of grape cultivation and wine production in Tennessee.

AND FURTHER AMEND by adding to Section 45, a new item as follows:

Item _____. In addition to all other funds appropriated to the department of conservation, there is hereby appropriated an additional sum of two hundred fifty thousand dollars (\$250,000.00) for aesthetic improvements and maintenance of T.O. Fuller State Park.

12: AND FURTHER AMEND by adding a new item at the end of Section

Item _____. In addition to the funds appropriated by Section 11, Item 29 of Chapter 1002 of the Public Acts of 1984 and reappropriated by the provisions of this act, there is appropriated the sum of twenty-five thousand dollars (\$25,000) for expenditure in fiscal year 1985-86 for the construction of a swimming pool at Indian Mountain State Park; provided, however, that such funds shall only be expended by the department on receipt of a dollar for dollar match by the City of Jellico.

AND FURTHER AMEND by adding the following new item at the end of Section 46:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated to the department of conservation the sum of fifty thousand dollars (\$50,000.00) for the sole purpose of pre-planning site preparation and construction of the east Tennessee white pine seedling nursery.

AND FURTHER AMEND in Section 45, Item 9 by deleting the words and figures "five thousand dollars (\$5,000.00)" and substituting the words and figures "fifteen thousand dollars (\$15,000.00)".

AND FURTHER AMEND by adding a new item to Section 12, as follows:

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of three hundred thousand dollars (\$300,000) to the department of conservation for the sole purpose of development and restoration of Cloverbottom Mansion. This appropriation shall come from non-recurring funds. Its expenditure is subject to the approval of the state building commission. It is further subject to the transfer of the Cloverbottom Mansion and its appurtenant grounds

and outbuildings, if any, to the department of conservation, and the development of a plan of development and restoration by the department of conservation which is acceptable to the state building commission.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. Out of those funds appropriated to the highway fund of the Tennessee Department of Transportation, one hundred fifty thousand dollars is earmarked for environmental and engineering studies for a project along United States Highway 27 between Soddy-Daisy and Dayton.

AND FURTHER AMEND Section 46 by adding a new item, as follows:

Item _____. It is the legislative intent that from the appropriation made under Chapter 1002, Public Acts of 1984, in Section 1, Title III-1, Attorney General and Reporter, an amount not to exceed three hundred thousand dollars (\$300,000) is reappropriated to be expended in the fiscal year beginning July 1, 1985, for the purpose of purchasing equipment. This item is subject to approval by the Commissioner of Finance and Administration.

And by numbering the Item appropriately.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. Out of the funds appropriated to the Department of Agriculture by Item 9 of Title III-3 of Section 1, a sum of forty thousand dollars (\$40,000) is hereby allocated to implement a bulletin for the Department of Agriculture like the former market bulletin.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. From the funds appropriated to the Highway Fund, there is earmarked one hundred fifty thousand dollars (\$150,000) to partially fund the Department of Transportation's share of project cost for the Collegedale-Ooltewah Interstate Connector Project in Hamilton County.

AND FURTHER AMEND by adding the following new item at the end of Section 45:

Item _____. There is hereby appropriated a sum not to exceed sixty-five thousand dollars (\$65,000) for the purpose of funding Senate Bill 222/House Bill 490, if such bill becomes a law.

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AND FURTHER AMEND by adding a new item to Section 45, as follows:

Item _____. There is hereby appropriated a sum not to exceed fifty thousand dollars (\$50,000) in one year non-recurring funds for the purpose of funding Senate Bill 908/House Bill 936, if such bill becomes a law.

This appropriation is to enable the Historic Cemetery Advisory Board to meet, organize, study conditions of such cemeteries in Tennessee, and report its findings and recommendations to the General Assembly.

AND FURTHER AMEND by adding a new item to Section 12 as follows:

Item _____. There is hereby appropriated a sum not to exceed four hundred sixty thousand dollars (\$460,000) for the purpose of funding Senate Bill 893/House Bill 960, if such bill becomes a law.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. From the appropriation made in this Act to the Department of Mental Health, there is hereby earmarked an amount sufficient to carry out the provisions of Senate Bill 674/House Bill 664. This allocation shall be effective only if Senate Bill 674/House Bill 664 is enacted into law.

AND FURTHER AMEND by adding the following new item at the end of Section 45.

Item _____. There is hereby appropriated a sum not to exceed one hundred thirty-two thousand dollars (\$132,000) for the purpose of funding Senate Bill 1057/House Bill 1036, if such bill becomes a law.

AND FURTHER AMEND by adding a new item to Section 45, as follows:

Item _____. There is hereby appropriated from the wildlife fund the following sums for the following purposes:

(A) Kentucky Lake/Barkley Wildlife Management Area - \$56,900

This appropriation is for maintenance and supervision of wildlife management areas, including clearing willows from agricultural lands, improving boat trails and drainage, and maintaining boat areas and access roads.

(B) Norris Lake Access Improvement - \$25,400

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This appropriation is for construction of a ramp and parking area on the upper lake near the backwaters.

(C) White Oak Swamp - \$50,00

This appropriation is for clearing of debris from the White Oak Creek, and to mark boundaries, improve roads and accesses, contract with sharecroppers, develop and maintain a forestry management program, and provide enforcement.

(D) Region I Equipment Improvement - \$140,000

This appropriation is for the purchase of equipment, fuel, and lubricants to allow for light maintenance of water drainage; and to repair levies, roads, and accesses on Region I facilities.

Out of funds herein appropriated for the Kentucky Lake/Barkley Wildlife Management Area, the Tennessee wildlife resources agency is hereby authorized to employ two (2) additional wildlife aides. Out of the funds herein appropriated for the White Oak Swamp, the Tennessee wildlife resources agency is hereby authorized to employ one (1) additional wildlife manager.

AND FURTHER AMEND by adding a new item to Section 35 as follows:

Item _____. In addition to any other funds appropriated by this act or any other act, there is hereby appropriated to the state building commission a sum of up to one hundred thousand dollars (\$100,000) for the purpose of pre-planning the completion of the Career Technology Building at Walters State Community College.

AND FURTHER AMEND by deleting from Section 1, Title III-26, the following words and figures:

"5. Amortization of Proposed Bonds 3,660,000.00"

and by changing the resultant total accordingly.

AND FURTHER AMEND by adding a new section to be appropriately numbered and to read as follows:

"Section (). An expenditure of funds totaling less than \$100,000 during the fiscal year ending June 30, 1986 resulting from each law of general application enacted during the 1985 session of the General Assembly shall, if not provided for specifically by an appropriation in this act, be earmarked from the appropriation(s) of the agency(s) assigned to carry out the provisions of such law."

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to any other funds appropriated by this act, there is hereby appropriated the sum of twenty thousand dollars (\$20,000) to the Brooks Art Gallery in Memphis.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. In addition to any other funds appropriated by the provisions of this act, this is appropriated from the special fund established under Tennessee Code Annotated, Title 70, Chapter 1, Part 4 and Section 69-10-203, the sum of sixty thousand dollars (\$60,000) to the Tennessee Wildlife Resources Agency to be used at Reelfoot Lake for access area construction and renovation as well as for repair and renovation of the agency office and boat house.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. No funds from the 1985-86 Appropriations Act shall be used for the purpose of closing the Autistic Program at Lakeshore Mental Health Institute.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. Notwithstanding any other provision of law to the contrary and in addition to any other appropriation provided herein, there is hereby appropriated to the Department of Revenue the amount of forty-five thousand three hundred sixty dollars (\$45,360) for the purpose of administering the provisions of Senate Bill 562 (HB 550).

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to all other funds appropriated, there is hereby appropriated \$250,000 for use by the Department of Safety and Department of Transportation, as determined by the Commissioner of Finance and Administration, to increase public awareness concerning the use of automobile seat belts.

AND FURTHER AMEND by adding the following new item at the end of Section 12.

Item _____. In addition to any other funds appropriated by the provisions of this act, there is appropriated the sum of four hundred fifty thousand dollars (\$450,000) to the Obion-Forked Deer Basin Authority.

AND FURTHER AMEND by adding the following new item at the end of Section 35:

Item _____. In addition to the funds appropriated in Section 1 of this Act to Higher Education for capital outlay, there is hereby appropriated the sum of \$329,000 to Tennessee State University for capitol projects recommended in compliance with the stipulation of settlement of the desegregation law suit.

AND FURTHER AMEND by adding to Section 12 the following new item:

Item _____. There is hereby appropriated to the Department of Education the sum of \$3,000,000.00 for the purpose of implementing the demonstration project authorized by Senate Bill 799 House Bill 544. This appropriation shall not be effective unless the reduced pupil-teacher demonstration project bill (Senate Bill 799/House Bill 544) becomes law.

AND FURTHER AMEND by adding the following new items at the end of Section 11:

Item _____. In accordance with TCA Section 14-8-104(6) the standard of need for FY 85-86 shall be not less than the amount specified in Section 14-8-104 (1) and (2) and the payment standard shall be not less than 45% of said standard.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to the funds made available under Section 1, there is hereby appropriated the sum of \$1,959,000.00 to the Department of Human Services to fund changes in the AFDC program. Departmental federal aid revenues in Section 4 shall be adjusted accordingly in an amount not less than \$4,639,180.

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. In addition to the funds appropriated in Section 1, Title III-17-4.2, there is hereby appropriated \$300,000 to match any federal funds allocated for rehabilitative services which exceed \$23,237,700.00 for fiscal year 1985-86. If additional federal funds are made available, the federal aid revenues in Section 4 shall be adjusted accordingly. The appropriation made in this item shall be a recurring appropriation.

AND FURTHER AMEND by deleting from Section 1, Title III-21, the following item:

1.13	Tennessee Heritage of Music	3,100,00.00
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and substituting instead the following item:

1.13	Tennessee Heritage of Music	2,600,00.00
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and substituting instead the following language:

1.13 Tennessee Heritage of Music shall receive a sum not to exceed \$2,500,000 to fund one (1) dollar of state funds for each two dollars of non-state funds provide by the Tennessee Heritage of Music. Of the funds appropriated in this item, \$2,500,00.00 shall be non-recurring funds and \$100,000.00 shall be recurring funds.

AND FURTHER AMEND by adding a new section immediately before the severability clause to be appropriately numbered and to read as follows:

Section _____. Notwithstanding any other provisions of this act, an amount of \$30 million of those appropriation items recommended to be funded for 1985-86 which were not a part of the three-year plan submitted in 1984 by the governor and appropriated in this act, shall not be released, obligated and/or expended until:

1. October 1, 1985, and

2. Sales and use tax collections for the fiscal year beginning July 1, 1985, exceed by at least five percent (5%) sales and use tax collections for the fiscal year beginning July 1, 1984 on a year-to-date basis.

The Commissioner of Finance and Administration shall submit to the Finance, Ways and Means Committees of the Senate and House, prior to July 1, 1985, a list of such items and related amounts not released.

AND FURTHER AMEND by deleting from Section 34 of the original bill and by substituting in lieu thereof the following:

Section 34. To the extent state revenues and /or other funds made available to the general fund for the fiscal year ending June 30, 1985 exceed the requirements of such fund for the fiscal year ending June 30, 1985, the Revenue Fluctuation Reserve shall be increased from \$50,000,000 to \$75,000,000 as of June 30, 1985. If the Revenue Fluctuation Reserve is increased, such increase shall be deemed a general fund requirement for purposes of construing Section 29, subsection (a).

AND FURTHER AMEND by adding a new section as follows:

Section _____. There is hereby appropriated to the State Building Commission the sum of \$24,400,000.00 for Capital outlay purposes. Said appropriation shall be in lieu of the bonds authorized in Senate Bill 673-House Bill 583. The Commissioner of Finance and Administration shall allocate the appropriation as provided in Senate Bill 673 - House Bill 583.

AND FURTHER AMEND by adding a new section to appropriately numbered and to read as follows:

Section _____. In addition to all other sums appropriated in this act, there is hereby appropriated the sum of \$11,385,000.00 to the Department of Correction. It is the legislative intent that of such sum, \$5,335,000 shall be a one-time, nonrecurring appropriation for capital outlay purposes and \$6,050,000 shall be a recurring appropriation. These funds shall be expended in accordance with a plan to be developed by the Governor. The plan developed pursuant to this section shall be reviewed by a committee composed of the majority and minority leaders and the majority and minority caucus chairmen of the Senate and House of Representatives and three additional members of each house to be appointed by the speakers of the Senate and House respectively. The Speakers of each house shall serve as ex officio members of the Committee. The Commissioner of Finance and Administration shall not authorize the expenditure of the funds appropriated by this Section until he has received the written comments of the committee created pursuant to this section. The Committee, in its discretion, may submit its written comments to the Commissioner of Finance and Administration on the plan as a whole or on portions of the plan as its reviews is complete. Provided, however, the Committee shall submit its comments on the Governor's plan required by this section within a reasonable time after the Governor submits said plan to the Committee. Provided, further that such committee shall keep all members of the General Assembly informed of its actions and recommendations.

AND FURTHER AMEND by adding a new section as follows:

Section _____. Subject to enactment of Senate Bill 202/House Bill 414 into law, the following provisions and appropriation shall be effective July 1, 1985:

1. In addition to any other appropriation made in this act, there is hereby appropriated an amount of \$11,200,000 to the Department of Education, to be designated as "Teachers Group Insurance", and

2. The following appropriations made in Section 1, Title III-9 are reduced as follows:

Tennessee Foundation Program	\$ 5,800,000.00
Retirement Accumulation Fund	\$ 1,400,000.00
Social Security Contributions	\$ 600,000.00

3. Public school teachers shall receive a gross salary increase of 4% on the state salary schedule under the Tennessee Foundation Program for the 1985-86 school year.

4. From the appropriation made in item 1. above to the Department of Education, the Department of Education is authorized to pay on behalf of each eligible local education

employee, and his or her dependents, an amount not to exceed fifty percent (50%) of the total cost of such person's participation in the basic accident and medical expense insurance plan authorized by Senate Bill 202/House Bill 414.

5. It is the legislative intent that as a result of the passage of this legislation, there shall not be a diminution of expenditures on behalf of education at the local level. It is further intended that funds previously used to provide insurance for teachers which will be replaced by state funds shall be used to extend or expand education above and beyond the level of 1984-85. Each LEA shall file a detailed statement with the state board of education no later than April 1, 1986 describing how such relieved local funds are being used during the 1985-86 school year along with the proposed use of such funds for 1986-87. An amended statement showing the approval of the relieved funds for 1986-87 shall be filed following the final approval of the LEA's budget.

This section shall be effective only if Senate Bill 202/House Bill 414 is enacted into law.

AND FURTHER AMEND by adding Section 1, Title III (Executive) an additional appropriation of one million six hundred thousand dollars (\$1,600,000) to the Department of Education category 9.3., item 3.1., to be designated as "Duty-Free Lunch", and by changing the subtotal for State Foundation Program and total for Kindergarten, Elementary and Secondary by increasing the amounts by one million six hundred thousand dollars (\$1,600,000).

AND FURTHER AMEND by adding a new section to be appropriately numbered to read as follows:

From the appropriations made in Title III-9.3., item 3.1., regarding "Duty-Free Lunch", the Department of Education shall provide for funding of duty-free lunch established pursuant to Senate Bill 765 - House Bill 671.

AND FURTHER AMEND by adding the following new item at the end of Section 11:

Item _____. It is the legislative intent that all aides employed for use in grades 1-3 through funds appropriated by this act shall be available for use in grades K-3 during the 1985-1986 fiscal year, notwithstanding any other provision of the law to the contrary.

AND FURTHER AMEND by deleting from Section 1, Title III-10, Item 2.2, and substituting the following:

Item 2.2 Chairs of Excellence

8,000,000.00

AND FURTHER AMEND by adding the following new item at the end of Section 12:

Item _____. To the extent funds are available and in addition to any other appropriations made in this act, there is hereby appropriated an amount of \$2,000,000 to Chairs of Excellence. This appropriation shall be effective only if the Revenue Fluctuation Reserve is increased to \$75,000.000 as of June 30, 1985 and shall be a general fund requirement before considering Section 29(a) of this act relating to the cancellation of bonds authorized but unissued.

Respectfully submitted,

FOR THE SENATE

Ben Atchley
Riley C. Darnell
Leonard Dunavant
John Ford
Thomas J. Garland
Milton Hamilton
Joe M. Haynes
Douglas Henry, Jr.
Frank Lashlee
Carl Moore
Robert Rochelle

FOR THE HOUSE

John Bragg
Harper Brewer
Thomas Burnett
Steve Cobb
David Copeland
Lois DeBerry
James M. Henry
Jerry Jared
Ted Ray Miller
Jimmy Naifeh
Shelby Rhinehart
Paul Scruggs
John Tanner

Mr. Henry moved that the Report of the Conference Committee on Senate Bill No. 671 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	92
Noes	2

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills,

Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--92.

Representatives voting no were: Shirley and Stafford--2.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolutions Nos. 132, 142, 146, 147, 153, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 166, 167, 168, 169, 170 and 171; also, Senate Bills Nos. 7, 171, 178, 194, 195, 198, 243, 562, 672, 714, 881, 927, 1048, 1098, 1101 and 1104; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 7, 171, 178, 194, 195, 198, 243, 562, 672, 714, 881, 927, 1048, 1098, 1101 and 1104; and Senate Joint Resolutions Nos. 132, 142, 146, 147, 153, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 166, 167, 168, 169, 170 and 171.

INTRODUCTION OF BILLS

House Bill No. 1135--To make certain provisions, cosmetology--By Hassell, Peroulas and Turner (Hamilton).

Passed first consideration.

Mr. Henry moved that the rules be suspended for the purpose of introducing House Bills Nos. 1136 and 1137 out of order, which motion prevailed.

House Bill No. 1136--To make certain provisions, inmate classification--By Henry.

Passed first consideration.

House Bill No. 1137--To amend the 1985 Appropriations Act--By Henry.

Passed first consideration.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Resolution No. 74 out of order, which motion prevailed.

House Resolution No. 74--Relative to authorizing special study, problems confronting Tennessee's youth--By DeBerry.

On motion, the rules were suspended for the immediate consideration of the resolution.

Ms. DeBerry moved that House Resolution No. 74 be adopted, which motion prevailed by the following vote:

Ayes	87
Noes	0

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Clark (Sumner), Cobb, Collier, Copeland, Crain, Cross, Curlee, Darnell, Davidson, Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Hassell, Henry, Hillis, Hobbs, Hurley, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stafford, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--87.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No.:

280--Relative to study, indigent health care; amended, and concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

HOUSE JOINT RESOLUTION ON SENATE AMENDMENT

House Joint Resolution No. 280--Relative to study, indigent health care.

SENATE AMENDMENT NO. 1

Amend House Joint Resolution 280 by inserting between the first

and second clauses of the preamble the following:

WHEREAS, only approximately one-third of the eight hundred thousand Tennesseans who are indigent by federal poverty standards are covered by Tennessee's Medicaid program; and WHEREAS, the medically indigent include many more Tennesseans whose incomes, though above the poverty level, are insufficient to enable them to meet the high cost of care for catastrophic illness or injury, or chronic disease; and

WHEREAS, access to necessary medical care is in jeopardy for those Tennesseans who are medically indigent or who are unable to obtain adequate health insurance coverage; and

WHEREAS, 1.6 million Tennesseans live in the forty-six counties which lack public hospitals providing access to care without regard to ability to pay; and

WHEREAS, per capita medical costs as a percentage of personal income are the highest in Tennessee of any state in the nation; and

WHEREAS, overwhelming medical expenses are the leading single cause of personal bankruptcy; and

AND FURTHER AMEND by striking the period at the end of the first resolving clause, substituting therefor a semicolon, and adding the following clause:

the special committee shall include members from the General Welfare, Finance and Government Operations Committees of each house.

AND FURTHER AMEND by inserting between the first and second sentences of the resolving clauses the following language:

BE IT FURTHER RESOLVED, That the special committee shall elicit the views of consumer groups, affected industries and members of the public. To that end, the special committee shall hold public hearings at reasonable places and times (including evenings where possible) in order to afford those members of the public who work an opportunity to be heard.

BE IT FURTHER RESOLVED, That the special committee's review shall include the feasibility and desirability of implementing the Health Equity and Access Law ("HEAL") proposed in SB 536, HB 680.

BE IT FURTHER RESOLVED, That the special committee shall also evaluate the effects of reductions and restrictions in the Medicaid program upon the provider industry, local government, non-Medicaid purchasers of care, and the public's access to necessary health services.

BE IT FURTHER RESOLVED, That the special committee shall propose such legislation as appropriate to ensure access to needed care for all Tennesseans while financing such care on an equitable basis.

AND FURTHER AMEND by deleting the words "Ninety-Fifth" and "April 1, 1986" in the final resolving clause and substituting therefor "Ninety-Fourth" and "January 1, 1986", respectively.

Mr. Starnes moved that the House non-concur in Senate Amendment No. 1, which motion prevailed.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, Senate Bill No.:

13--To regulate state and local taxes, certain events;

The Senate concurred in House Amendments Nos. 2, 4 and 6 and non-concurred in House Amendment No. 1.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

FURTHER CONSIDERATION OF SENATE BILL NO. 13

Senate Bill No. 13--To regulate state and local taxes, certain events.

Mr. Wheeler moved that the motion to reconsider Senate Bill No. 13 be lifted from the table, which motion prevailed.

Mr. Wheeler moved that the House reconsider its action in passing Senate Bill No. 13 on third and final consideration, as amended, which motion prevailed.

Mr. Wheeler moved that the House reconsider its action in adopting Amendment No. 1, which motion prevailed.

Mr. Wheeler moved that Amendment No. 1 be withdrawn, which motion prevailed.

Thereupon, Senate Bill No. 13, as amended, passed its third and final consideration by the following vote:

Ayes	91
Noes	2
Present and not voting	1

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell,

Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dills, Dixon, Drew, Duer, Ellis, Frensley, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Lawson, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Turner, L. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

Representatives voting no were: Shirley and Stafford--2.

Representative present and not voting was: Kisber--1.

A motion to reconsider was tabled.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

860--To make certain provisions, county election commissions; substituted for Senate Bill on same subject, amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Gill moved that action on House Bill No. 860 be deferred until June 18, 1985, which motion prevailed.

FURTHER CONSIDERATION OF HOUSE BILL NO. 495

House Bill No. 495--To define and develop treatment program, child sexual abuse.

Mr. Covington moved that the motion to reconsider House Bill No. 495 be lifted from the table, which motion prevailed.

Mr. Covington moved that the House reconsider its action in adopting the Conference Committee Report on House Bill No. 495, which motion prevailed.

SECOND REPORT OF THE CONFERENCE COMMITTEE ON HOUSE BILL NO. 495

The House and Senate Conference Committees appointed pursuant to motions to resolve differences between the two houses on Senate Bill No. 797/House Bill No. 495 have met and recommend that Senate Amendment No. 8 be adopted; that Senate Amendment No. 9 be adopted with the following changes:

(1) in subsection (b) by deleting the language "The recording of an oral statement of the child" and by substituting instead the language "Such statements of the child recorded pursuant to the provisions of subsection (c)";

(2) by deleting from subsection (c)(1) the language "The recording of an oral statement of the child made before trial", and by substituting instead the language "The recording of the statements of the child made pursuant to an investigation of child sexual abuse";

(3) by deleting the language of subitem (A) of subsection (c)(1) in its entirety and by substituting instead the language "(A) The recording is both visual and oral and is recorded on film or videotape or by other similar audio-visual means;

(4) by deleting from subsection (d)(1) the language "electronic" and by substituting instead the words "similar audio-visual";

(5) by deleting from subsection (b) the language "in lieu of compelling the testimony of the child at such proceeding,";

(6) by inserting the following language as a new item to subsection (c) (1) to be designated as sub-item (A), redesignating subsequent sub-items accordingly:

(A) no attorney for a party to the proceeding was present when the statement was made;

(7) that Amendment No. 1 to Amendment No. 9 be deleted. and that Senate Amendment No. 10 be adopted with the following addition:

by adding the following sentence at the end of subsection (e):

The testimony of the child shall be restricted to the matters specified by the court as the basis for granting such order.

It is further recommended that the bill be amended by inserting the language "Section 19 and Section 18," in the first sentence of the effective date section as amended between the words "with respect to" and "authorizing video recordings", and by inserting the following language after the date "July 1, 1985," in the effective date section:

except for the investigation by the child protection teams which shall take effect October 1, 1985,

FOR THE SENATE

Senator Leonard C. Dunavant

FOR THE HOUSE

Representative Bill Covington

Senator Anna Belle O'Brien

Representative W. A. (Dub) Nance

Senator William S. Owen

Representative David L. Ussery

Mr. Covington moved that the Second Report of the Conference Committee on House Bill No. 495 be adopted and made the action of the House, which motion prevailed by the following vote:

Ayes	90
Noes	0
Present and not voting	4

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Collier, Copeland, Covington, Crain, Cross, Curlee, Darnell, Davidson, Davis (Cocke), Davis (Gibson), Davis (Knox), DeBerry, DePriest, Dixon, Drew, Duer, Ellis, Frensey, Gafford, Gaia, Garrett, Gill, Harrill, Hassell, Henry, Hillis, Hobbs, Hurley, Huskey, Ivy, Jared, Jones, Kent, Kernell, King, Kisber, Love, May, McAfee, McCroskey, McNally, Miller, Montgomery, Moore (Sullivan), Murray, Naifeh, Nance, Napier, Peroulas, Rhinehart, Ridgeway, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shirley, Stallings, Starnes, Swann, Tankersley, Tanner, Treadway, Turner (Hamilton), Turner, C. (Shelby), Ussery, Webb, West, Wheeler, Whitson, Williams, Winningham, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--90.

Representatives present and not voting were: Lawson, Moody, Murphy and Turner, L. (Shelby)--4.

A motion to reconsider was tabled.

RESOLUTIONS RECALLED

On motion of Mr. Copeland, House Joint Resolution No. 334 was recalled from the Senate for further consideration.

On motion of Mr. Buck, House Joint Resolution No. 257 was recalled from the Senate for further consideration.

On motion of Mr. Henry, House Joint Resolution No. 348 was recalled from the Senate for further consideration.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No.:

53--To provide for six-member jury, civil cases.

The Speaker appointed a Conference Committee composed of Senators Haynes, Person and Kyle to confer with a like committee from the House

THURSDAY, MAY 23, 1985--53rd LEGISLATIVE DAY

to resolve the differences of the two houses.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed to return to the House, House Joint Resolution No. 358, signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution No. 358; for his action.

MARLYN EVELYN HAND,
Chief Engrossing Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1136--Murphy, Scruggs

House Bill No. 1137--Scruggs

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 127, 264, 417, 724, 1115, 1118 and 1119; and House Joint Resolutions Nos. 315, 316, 317, 318, 321, 326, 327, 328, 329, 330, 331, 332, 333, 335, 339, 340, 342, 344, 350, 357 and 358; with his approval.

WILLIAM H. INMAN,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills

Nos.:

1128--To amend Title 9, Chapter 6, Part 2, Code;

1129--To amend Title 9, Chapter 6, Part 2, Code; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

33--Relative to continuing study committee, liability of school employees;

212--Relative to continuing special committee, bingo law;

279--Relative to study, state aid to disabled;

293--Relative to study, doctrine of comparative negligence;

403--relative to study, tourism; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution No.:

183--Relative to study, selection of nuclear waste disposal sites; adopted for concurrence.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 398, 625, 853, 861, 913, 936 and 960; House Resolutions Nos. 40, 66 and 67; and House Joint Resolutions Nos. 383, 384, 387, 391, 392, 394, 396, 399, 400, 402, 404 and 405; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 398, 625, 853, 861, 913, 936 and 960; House Resolutions Nos. 40, 66 and 67; House Joint Resolutions Nos. 383, 384, 387, 391, 392, 394, 396, 399, 400, 402, 404 and 405.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos. 352, 353, 355, 356, 361, 362, 372, 373, 374, 379, 381 and 382; also, House Bills Nos. 55, 84, 189, 218, 322, 515, 708, 766 and 1127; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 398, 625, 853, 861, 913, 936 and 960; also, House Joint Resolutions Nos. 383, 384, 387, 391, 392, 394, 396, 399, 400, 402, 404, 405, 406 and 407; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

Mr. Naifeh moved that pursuant to Senate Joint Resolution No. 101, the House stand in recess until 12:00 o'clock noon on Tuesday, June 18, 1985, which motion prevailed.

INTERIM ACTION

MAY 24 - JUNE 17, 1985

Pursuant to Senate Joint Resolution No. 101, the House stood in recess from May 23, 1985 until June 18, 1985.

The following bills and resolutions were enrolled, signed by the Speakers, transmitted to the Governor, and returned from the Governor during the recess:

MAY 24, 1985

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 55, 84, 189, 218, 322, 398, 515, 625, 708, 766, 853, 861, 913, 936, 960, 1127; and House Joint Resolutions Nos. 352, 353, 355, 356, 361, 362, 372, 373, 374, 379, 381, 382, 383, 384, 387, 391, 392, 394, 396, 399, 400, 402, 404, 405, 406 and 407; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MAY 24, 1985

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 71, 97, 133, 295, 368, 453, 650, 655, 716, 758, 845, 949, 967, 1061, 1062 and 1064; also, Senate Joint Resolutions Nos. 97, 101, 149, 173 and 175; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 24, 1985

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 71, 97, 133, 295, 368, 453, 650, 655, 716, 758, 845, 949, 967, 1061, 1062 and 1064; and Senate Joint Resolutions Nos. 97, 101, 149, 173 and 175.

MAY 24, 1985

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 51, 129, 156, 158, 190, 223, 238, 291, 544, 671, 731, 767, 846, 1063, 1128 and 1129; House Resolutions Nos. 46, 47, 48, 61, 63, 64, 68, 69, 70, 71, 72, 73 and 74; and House Joint Resolutions Nos. 33, 191, 212, 275, 279, 293, 295, 385, 386, 388, 389, 390, 393, 395, 397, 398, 401, 403 and 408; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MAY 24, 1985

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 51, 129, 156, 158, 190, 223, 238, 291, 544, 671, 731, 767, 846, 1063, 1128 and 1129; House Resolutions Nos. 46, 47, 48, 61, 63, 64, 68, 69, 70, 71, 72, 73 and 74; and House Joint Resolutions Nos. 33, 191, 212, 275, 279, 293, 295, 385, 386, 388, 389, 390, 393, 395, 397, 398, 401, 403 and 408.

MAY 24, 1985

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 51, 129, 156, 158, 190, 223, 238, 291, 544, 671, 731, 767, 846, 1063, 1128 and 1129; also, House Joint Resolutions Nos. 33, 191, 212, 275, 279, 293, 295, 385, 386, 388, 389, 390, 393, 395, 397, 398, 401, 403 and 408; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 24, 1985

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bills Nos. 51, 129, 156, 158, 190, 223, 238, 291, 544, 671, 731, 767, 846, 1063, 1128 and 1129; and House Joint Resolutions Nos. 33, 191, 212, 275, 279, 293, 295, 385, 386, 388, 389, 390, 393, 395, 397, 398, 401, 403 and 408; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MAY 28, 1985

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 13, 202, 286, 694 and 1100; also, Senate Joint Resolutions Nos. 32, 176, 177, 178, 179, 180, 181, 182, 184, 185, 186, 187, 188 and 189; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 28, 1985

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 13, 202, 286, 694 and 1100; and Senate Joint Resolutions Nos. 32, 176, 177, 178, 179, 180, 181, 182, 184, 185, 186, 187, 188 and 189.

MAY 28, 1985

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bill No. 1125; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

INTERIM ACTION -- May 24 - June 17, 1985

MAY 28, 1985

SIGNED

The Speaker announced that he had signed the following: House Bill No. 1125.

MAY 28, 1985

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bill No. 1125; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 28, 1985

REPORT OF CHIEF ENGROSSING CLERK

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Bill No. 1125; for his action.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MAY 29, 1985

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 1113; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MAY 29, 1985

SIGNED

The Speaker announced that he had signed the following: Senate Bill No. 1113.

INTERIM ACTION -- May 24 - June 17, 1985

MAY 29, 1985

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 9, 156, 158, 190, 207, 390, 641, 504, 731, 767, 805, 853, 913, 1063 and 1125; and House Joint Resolutions Nos. 33, 191, 212, 275, 279, 293, 295, 345, 355, 356, 361, 362, 372, 373, 374, 379, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407 and 408; with his approval.

WILLIAM H. INMAN,
Counsel to the Governor.

MAY 30, 1985

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 55, 59, 84, 149, 153, 179, 185, 189, 223, 322, 398, 515, 625, 708, 792, 869, 936, 960, 1090, 1105, 1106, 1107, 1108, 1113, 1114, 1127, 1128 and 1129; and House Joint Resolutions Nos. 337, 338, 341, 346, 347, 349, 351, 352, 353, 359, 360, 363, 364, 365, 366, 367, 368, 369, 370, 371, 375, 376, 377 and 378; with his approval.

WILLIAM H. INMAN,
Counsel to the Governor.

MAY 30, 1985

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 51, 218, 238 and 861; and House Joint Resolution No. 178; with his approval.

WILLIAM H. INMAN,
Counsel to the Governor.

MAY 30, 1985

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills

INTERIM ACTION -- May 24 - June 17, 1985

Nos. 129, 132, 291, 544, 671 and 846; with his approval.

WILLIAM H. INMAN,
Counsel to the Governor.

MAY 31, 1985

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bill No. 671; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bill No. 671.

JUNE 4, 1985

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bills Nos. 1042, 1045 and 1087; with his veto.

WILLIAM H. INMAN,
Counsel to the Governor.

Dear Speaker McWherter,

I am today vetoing three bills (House Bills 1042, 1045 and 1087) which set rules for purchasing by the city of Clarksville and Montgomery County.

The bills permit local officials to throw out the lowest bid and award a contract to a Montgomery County contractor who may be as much as five percent above the lowest bid.

This can be very expensive home cooking for Montgomery County and Clarksville taxpayers.

For example, if the county solicits for school equipment and a resident contractor bids \$5 million while a Shelby County contractor bids \$4.8 million, the county may accept the higher bid and the taxpayers have lost \$200,000.

Or, if the city solicits bids for ten police cars, with precise specifications, and a Davidson County dealer bids \$75,000 while a

INTERIM ACTION -- May 24 - June 17, 1985

Montgomery County dealer bids \$78,000, the higher bid may be accepted.

In addition to costing Clarksville and Montgomery County taxpayers more money, these bills threaten to set off trade wars among Tennessee counties. Every one of our 95 counties and more than 300 cities could adopt similar provisions discriminating in favor of home town contractors. For this reason, the United States Constitution probably makes all three bills unconstitutional.

Sincerely,

Lamar Alexander

JUNE 5, 1985

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 1036; without his signature.

WILLIAM H. INMAN,
Counsel to the Governor.

Dear Speaker McWherter,

I am returning House Bill No. 1036 without my signature.

This bill exempts from the sales tax charges for bathing animals prior to July 1, 1985. After this date, 15 percent of the bathing and grooming charges will be subject to sales tax.

I will not veto this bill because it affirms that these services are taxable. I will not sign the bill, however, because I do not favor its retroactive application.

Sincerely,

Lamar Alexander

House Bill No. 1036 becomes law without the Governor's signature, as authorized by Article III, Section 18 of the Constitution of the State of Tennessee.

JUNE 5, 1985

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No.

766; with his veto.

WILLIAM H. INMAN,
Counsel to the Governor.

Dear Speaker McWherter:

Enclosed is my message vetoing House Bill No. 766.

Earlier I signed a bill increasing the fees charged for temporary fuel permits which would produce an additional \$760,000 per year. My staff has pointed out to me that the Legislature may have intended this new revenue to pay for the higher salaries of the Motor Vehicle Enforcement personnel. Nothing in the tax bill that I signed says that. But I want to call this to your attention so that you may consider whether you want to repeal the tax bill when you return in January.

Sincerely,

Lamar Alexander

Dear Speaker McWherter;

I am returning House Bill No. 766 with my veto. The bill would circumvent the State class compensation and pay plan the Legislature enacted in the last General Assembly.

This bill would make salaries for Motor Vehicle Enforcement officers and salaries for Highway Patrol personnel the same. The problem with this bill is this: Motor Vehicle Enforcement officers and Tennessee Highway Patrol men and women have different jobs with different skills, and there is no reason their pay should be the same. There may be a time when motor vehicle officers and state troopers are trained to do the same jobs. When they have the same jobs would be the time to pay them the same wages.

In conclusion, in passing the Highway Patrol salary bill last year, the General Assembly expressed its intent that the program was only for the Highway Patrol and that no other employees would be included. This bill would require equal salaries for jobs which currently are not equal in fact.

Sincerely,

Lamar Alexander